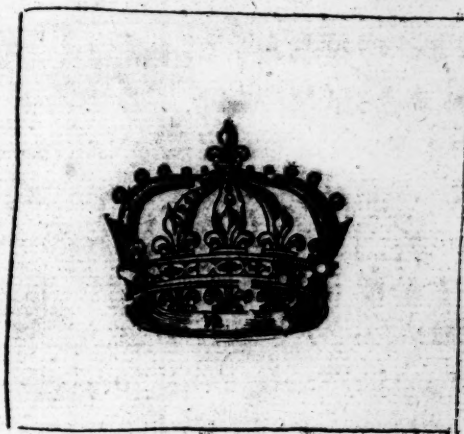


THE
REIGN
OF
King CHARLES: I
An HISTORY
Faithfully and Impartially delivered and disposed into ANNALS.

D



LONDON,
Printed by E. C. for Edward Dod, and Henry Seile the younger,
and are to be sold at the Gun in Ivie-lane, and over against
St. Dunstons Church in Fleet-street, 1657.

THE
BIBLE
OF
THE
UNITED
METHODIST
CHURCH
IN
AMERICA

Library of the
UNION THEOLOGICAL SEMINARY
New York



1884
PUBLISHED BY THE
UNION THEOLOGICAL SEMINARY
NEW YORK

The Preface.



That oblique Descants will come
traverse upon this honest Nar-
rative, I already prejudicate.
The fate of those who write of
Times within ken, *Times* better
for the *History* then for the *Historian*; for while
they render *Truth* more resplendent, they usu-
ally bring the *Relater* under a cloud. Whence
the bane of all faithfull *Tradition*, that an *Hi-*
storian is rarely found, untill the *Truth* be lost.
And what is *History* without, its *Idiome*,
Truth, but a meer *Romance*? And if so, what
pen will undertake the *History* of a King?
Kings in their Functions so neer resemble the
Divine Nature, as *God* himself hath styled
them *Gods*. And as in many respects they re-
present it, so also in that of *Cyprian*, though
not in his sense, *De Deo etiam periculosum est*
dicere verum. Though as *Men* they are with-
in the incidence of frailty, (for as that Empe-
rour said, *Imperium non tollit affectus*. *Sove-*
raignty doth not prescribe humane affections)
yet their very failings have been in former
times accounted, like their Persons, so sacred

Epist.

Antoninus Pius
apud Jul. Capi-
tolinum.

A

that

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1 Sam. 14. 4.

that to touch them, though never so tenderly, hath been esteemed Petty-Treason. But in King *Charles* (the grand concernment of these Annals) the Danger is counter changed, to exhibit in him any thing of merit, or importing lesse then a *Nero* or *Domitian*, many will not endure. And these two extremes make my passage through this History like that of *Jonathans* to the *Philistims*, *A sharpe rock on the one side, and a sharpe rock on the other side*. Which consideration hath moved me to decline many things, otherwayes remarkable, and not commonly known, and to content my self with *saving-truths*. Nor should I have adventured to have interposed a modest vindication of this *King* in some particulars, not reflecting upon the fatall proceedings against him, had not the ingenuity of some eminently disaffected to him, led me the way.

But if in relation to these perils, I am studious to bear my self erect, yet in other concernments, some will censure me for too strong a Bias.

Some will say I seem no friend to the *Clergy*; and lest my silence should make this an *Accusation*, which is but a meer *calumny*; I answer, Church men I honour, (no man more) and this I do for their Sacred *Orders* sake. But if their Order be Sacred, it doth not

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not (I wish it did) make all such who are initiated in that Order; too many of that holy profession are, ever were, and will be Sacred in another and worse sense. The un-sanctified lives of some Officiating at the Sacred Altar, have been the complaint of all ages. Read we not to their shame of the Sons of Ely, whose impiety made men abhor the offerings of the Lord? Doth not Crysostome tell us of some his contemporaries, who (had Canonical Discipline been punctually observed) should not have been permitted, so much as to step over the threshold of God's house, were notwithstanding advanced to the highest grison of Church Dignities? And if this Narrative presents some Ecclesiasticks too blame, the inference is fallacious, that therefore our times are worse then former, or that the accrimination overspreadeth all. No, what St. Augustine said upon the like occasion of some enormitans of his time, is no lesse true of ours, That though our Church had cause to grieve for the blemishes of some, yet might she glory in the Ornaments of more. So few being then concerned in the little which may distast, their disgust will be easier digested, especially considering that it can be nothing else but necessary truth which offends them, and so it must if I, or any other, will do the devoir of an Historian. For Truth to be

Parent

1 Sam. 2. 17.

Ἀνδραπολι^{ος} ὡς
 ἐν καὶ μετὰ τὴν
 πόλιν τῆς
 Βακχιδίας
 ἐφορῶντες
 ἐχθρὸν ἐφ'
 τὴν πόλιν, καὶ ἐς
 τὴν Ἰσχυρὰν
 ἀναβάντων
 ἀξίαν. Chrys.
 de Sacerdot. 3.

Et si contristamur de aliquibus purgamentis, tamen consolamur de pluribus ornamentis. Aug. Epist. 137.

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Parent of ill-will is no novelty, no not where no *ill-will* is the Parent of that Truth, as in this work of mine; for of those whom it will have the unhappinesse to displease, not a single unite can challenge me for any personall malice against him; or justly say, I have made *History* do the drudgery of mine own despight.

Nor perhaps will the *Presbyterians* esteem me altogether well-affected to them. A crime the lesse, because almost epidemical and contracted from their so principally occasioning our late sad distractions, yet have I so much charity for them, as heartily to wish they may read their error in their punishment. For they who were so instrumental towards the ruine of their *Superiour Order*, have lived to feel the reverberation of divine indignation by a configuration of chastisement upon their owne *Calling*. So even and equall a decorum doth the wisdom of *God* observe in the *Oeconomy*, and dispensation of his judgment.

Nor will all objections reflect upon my inclination, some will also upon my Narrative, and fault its *Orthography*, which consists in the true representation, not of *Words*, but *Things*. I have constantly conversed in the vale of rurall recesses, far from the Court (the prospect and vantage ground of observation) and upon that very account, this poor infant, even before it can speak, before it comes to the birth of

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of edition, while it is yet in the womb of the Presse, is already by some *reprobated* for errors *foreseen*. The best is this Objection was not earlier contrived, then my Answer framed. Ocular observation of the Author is not absolutely necessary to the credibility of a story ; for that were all at once, not to eclipse, but totally to extinguish the light of all Histories (Sacred only excepted) whatsoever, the greatest part whereof were *Postscript* an age at least to the things recorded: and they who wrote the memorials of their own times, as *Thucydides*, *Xenophon*, *Herodian* and others, who are the most accurate Reporters, ingenuously confesse, they as well derive some things ~~from~~ *upon trust from others*, as other things they deliver upon their own credit. To speak therefore *ad idem*, close, and pertinent to mine own vindication, to satisfie the impertinent curiosity of these enquirers, I shall descend to these overtures. As to what things are matters of *Record*, I confesse I have not consulted the very originals, but have conformed to Copies, but of so neer extraction, as they are but once removed from the fountain it self. In other affaires, my information hath constantly resulted from Persons, not only present, but eminently, and some in *Chief* commanding in the actions, or principal instruments in the *Transactions*. And as the greatest
part

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part of this information did flow from one single hand, so (for the credit of my labour) may I give this account of him, that he had as certain and as full intelligence of all emergencies both forain and domestique, as any one in this Nation: and as he was too judicious to receive, so was he too honest to transmit a vain report; whereby, confident I am, I stand secure against any substantial falshoods, and I hope against circumstantial also, especially in point of *Temporalities*, in assigning all both *Things* and *Actions* their proper times, no one of which I will be bold to say is so in these Annals mislaid, as to super-annuate, and not many to vary from the very day of their prime existence. But if I be detected to have mis-reported any thing, light the error where it will, my solace 'tis, *Nemo Historicus non aliquod mentitus, & habiturus sum mendaciorum comites, quos Historice eloquentiæ miramur Authores*; the best *Historiographers* have done the like. And as I had in this work no design beyond Truth, so he that can form a truer Relation, let him.

Flavim Vo-
piscus.

THE

THE
REIGN
OF
KING CHARLES



King Charles was born November the 19th. Anno Dom. 1600. at Dunfermling in Scotland, not next in call to the Diadem. But the hand of God countermanded natures dispose, and by taking away *Henry* his incomparable Brother, presented *Charles*, not only the succeeding, but the only Male-stud of Sovereignty. The gallantry of *Henry's* heroique spirit tended somewhat to the disadvantage and extenuation of *Charles* his glory, who arriving at his years, and wanting nothing of his Princely institution, came yet short of him in the acquit of reputation with the People. *Henry* of a forward, and enterprising; *Charles* of a studious, and retired spirit: whereof the blame may in part be imputed to some organically impotences in his body. For in his state of increment and growth, he was exceeding feeble in his lower parts; his legs growing not erect, but repandous and embowed, whereby he was unapt for exercises of activity. Again, he was none of the gracefulest Orators, for his words came difficultly from him, which rendred him indisposed to speak much. But in the flux of time, and when he began to look man in the face, those tender limbs began so to consolidate and knit together, as the most eminently famed for exercises of honour, were forced to yeeld him up the garland. And though his vocall impediment accompanied him till the fatall stroke, yet was it to wise men an index of his wisdom: therefore *Obloquy* never plaid the fool so much, as in imputing folly to him, since there was never; or very rarely, known a fool that stammered. And for his intellectuals, he gave in the Spanish Court (where was

B

K. Charles his
Birth,

his

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His journey
into Spain.

his first initiation into renown) a very satisfactory account. His designe thither (it's well known) was to seek a service, and make address unto the Lady *Infanta* in the quality of a Wooer; a business which had complicated with it the hopes, that under the conduct, and into the bargain of that Match, his Brother (the *Palgrave*) should be postlimineated and restored to his inheritance of the *Palatinate*, (then detained from him by the Emperour and Duke of *Bavaria*) and Count *Gondamore* the *Spanish* Ambassador had partly promised as much. His reception into the *Spanish* Court, was with all possible ceremonies of honour, and specious comply-ments: but he had rather have seen good faith in *uerpo*, then falshood in the mantlings of those fair respects. For the crafty *Spaniard* would not admit the restitution of the *Palatinate* into the fabrick of the Capitulation, no not by way of Parenthesis, but said it should be as a reserve of gratuity to conferre upon the King of *Great Britain* after the Nuptials consummated. And besides, he spun out and protracted the procedure of the affair to a length, tedious to the Prince, and (as it happened) destructive to the whole designe. For the transaction being completed to the very signing of the Articles on both parts, and the obtaining a Dispensation from his Holiness, and all things fit for Contract and Espousals, in the very nick of time (a strange traverse of Providence) dyes Pope *Gregory*, whose death put all to a stand; for his Dispensation being now as null as himself, a necessity there was of soliciting Pope *Urban* for another, which negotiated to the best improvement of expedition, could not be obtained on the suddain. And (as if the rescue had been by conspiracie) at that very time Dispatches came from King *James*, to summon the Prince speedily home; who, glad of the occasion, communicates to *Philip* his Fathers call, and pressed the necessity of his obedience so close, as his Catholick Majesty could not in civility deny him. Matters being in this wavering posture, the lazy *Spaniard* bestirs him, and importunately moves on the other side; that, since he might not disoblige his Highness from obeying his Fathers order, and that this unhappy *remora* could onely amount to the losse of some few dayes, and seeing there remained still the same inclination of alliance on both parts, according to the tenour of the Articles, he would be pleased to assigne in his absence some Proxy to contract with the *Infanta* after a new Dispensation had from *Rome*. To whom the Prince returned answer: That he would impower the Earl of *Bristol* to give his Majesty all satisfaction in that particular; which accordingly he did. Nothing was now left to impede his Highness return, but to ceremoniate his dismissal agreeable to his reception. And (whatever the linings were) certain it is, there was such a fair outside of love, such a seeming serenity of affairs, such dear

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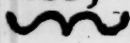
scollado's interchanged between *Philip* and his Highness, at their valediction and parting, as eye scarce ever beheld the like. There goes a report that the *Spaniard* had a design to have staid him, but that he outstript the Post; which I leave, as I find it dubious. But certain it is, the Prince began to nauseate the match, and to meditate all honourable evasions, and no sooner was he aboard the vessell of his reduction, but he dispatched a clandestine Agent to the Earl of *Bristol* with an expresse order, not to yeeld up his Proxy, till further instructed from *England*. And so he hoisted up sail for his beloved *Ithaca*, and home; upon whose prosperous arrival, being *Octob.* the 5. the Kingdome fell into so generall a conflagration with bone-fires, as if the people had meant to make an holocaust of it, such an universal and epidemicall joy there was, not only that *Charles* was returned safe, but that also without his lading: In truth they were so co-incident, as the loyal hearted *English* could not distinguish between the *Spanish* match and *Charles* his ruine. Upon his first accessse to his Fathers Court, after many dear and cordial welcomes, he represented to his Majesty the state of his Negotiation, who perceiving upon the hole sum, that the *Spaniard* practised to make an after-game of the *Palatinate*, and observing a generall disgust in the hole Kingdome, by advice of his Privie Councel, dispatcheth Letters to the Earl of *Bristol*, enjoining him positively to demand restitution of the *Palatinate*, and that till he had absolute satisfaction therein, the Proxy should not be delivered, nor any further progresse made in the Treaty. This unexpected proposall put his Catholique majesty into such a dazzling demur, as it was no difficult matter to presage a finall rupture would ensue, which (after the Treaty had lain languishing about five moneths) happened by the solicitation of the Parliament, *March, 24. 1623.* The estimation his Highnesse got in this expedition of a solid and serious Prince, was more then could be expected from his puiſne years of 23.

Nor was this the only service that adventure did him, it gave him also a transitory view of that excellent Lady, whom the supreme Moderator of all things had reserved for him. For *Paris* being obvious to him, and in his way to *Spain*, he delaid there one day, where fortune entertained him with a sight of the Princesse *Henretta Maria* at a Court Masque; this view he stole undiscovered, through the benefit of a false hair: I will not say this casualty was causal to the first design of soliciting that alliance; yet possible it is, that first ocular acquaintance with her person, might create something of affection in him beyond neutrality; what occasion it was first started that Treaty, I know not, but for certain there never was such an harmony of universal votes in any affair of that quality, between the two Crowns, as in this.

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the French
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this. For King *James* recommending it to the consideration of his Privie Councill, they extol both the relation and accommodations of the match, assuring his Majesty the project would take passing well in an Assembly of the three Estates; whose convention his Majesty having before meditated in order to the recovery of the *Palatinate*, he now falls upon resolution, and issueth summons for the Parliament to assemble: which being met, and the businesse propounded, it was entertained with an unanimous consent, and a motion made, that an Ambassador should be sent over to negotiate the Treaty. The King finding the Parliament so great zelots in this design, he presently issueth out a Commission to the Earl of *Holland* to that intent. Who being a most commodious and proper instrument for such an employment, speedily imbarques for *France*, where upon the prime overture of his message at the French Court, he found so ready and fluent an inclination in King *Lewis*, as he was able to divine the issue before capitulation, whereof he early transmitted advertisement to his Master, who upon notice of it (for the greater honour of the correspondence, and to expresse the exuberancy of his devotion to the match) superinducted the Earl of *Carlisle* as an additionall Ambassador to the Earl of *Holland*. And from *France*, *Lewis* (who disdained to be wanting in any dues of compliment) dispatcheth the Marquesse *D'Effait* for *England*. These noble instruments of State ply'd their instructions with that diligence and fidelity, as the accord was full formed, *Novemb.* the 10. 1624. and Articles signed on both sides, so as *France* and *England* seemed now as one Continent, and all of a piece. True it is there wanted a dispensation from the Bishop of *Rome*, whereof his Majesty of *France* was then in pursuit.

King *James*
his Death.

But in the interim of that delay, King *James* (as if the consummation of that match had been his *consummation est*) brake up his ruinous house of clay, surrendering up at *Theobald's* his soul to God, and his three Kingdomes to his Son, *March* 27. 1625.

It will not be amisse nor ablude from the usuall ceremony ordained to the bodies of extinct Princes, if I here represent in brief the pourtraicture of this famous Monarch, which I will do freely, sincerely, and with a spirit which equally disdaines to libel or to flatter him.

His Character.

In the stile of the Court he went for *Great Britain's Solomon*; nor is it any excursion beyond the precincts of verity to say, that neither *Britain* nor any other Kingdome whatsoever, could ever, since *Solomon's* daies, glory in a King, (for recondite learning, and abstruse knowledge) so near a match to *Solomon*, as He. And though he was an universall Scholar, yet did he make other sciences (their most proper employment) but drudges and

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and serviteurs to Divinity, wherein he became so transcendently eminent, as he notoriously soyld the greatest Clerks of the Roman See. Nor did his Theological abilities more advantage the cause of Religion abroad, then at home, they keeping the now-fangled-Clergie aloof, and at distance, as not daring to infuse into so solid a judgement their upstart and erroneous fancies, no nor disquiet the Churches peace with heterodox opinions. A stout adversary he was to the *Arminians* and *Semi-Pelagians*, whom he call'd, as *Prosper* before him, the enemies of Gods grace. And as slender a friend to the *Presbytery*, of whose tyrannical and Antimonarchical principles he had had from his cradle smart experience. He was an excellent speaker, the scheme of his Oration being more stately, then pedantique, and the expressions argu'd him both a King and Scholar. In his apparell and civill garb he seem'd naturally to affect a majestique carelesnesse, which was so heetique, so habitual in him, as even in religious exercises, where the extern demeanour is a grand part of that sacred homage, he was somewhat too incurious and irreverent. He was indulgent a little to his palat, and had a smack of the Epicure. In pecuniary dispensations to his Favourites he was excessive liberal, yea though the exigence of his own wants pleaded retention. Studious he was of Peace, somewhat overmuch for a King, which many imputed to Pusillanimity, and for certain the thought of war was very terrible to him: whereof there needs no further demonstration then his manage of the cause of the *Parliament*: for had he had the least scintillation of animosity, or majestick indignation, would he have so long endured his Son in law exterminated from his Patrimony, while the *Austrian* faction (to his great dishonour) *cojold* and kept him in desultory chat with specious fallacies? Would he in those severall negotiations of *Orkney*, *Bristol*, *Belfast*, and *Wexon*, have trissed away so vast sums, the money whereof, had they been disposed in military levies, would have modelled an Army able (when *Hedborough*, *Manheim*, and *Frankendale* defended themselves) to have totally dissipated all the forces of the usurpers, to have mastered the imperious Eagle, enforcing her to forgoe her quarry, and re-estated the *Pole* *grave*? Would he so shamefully have courted the alliance of *Spain* to the very great regret of his subjects, whom his Predecessor had so often baffled, and whom *England* ever found a worse friend, then enemy? What stronger evidence can be given in of a wonderfull defect of courage? As this lipothymie, this faint-heartednesse lost him the reputation and respects of his people, so his heavie pressures upon them, and unduellevies by *Pavy*-seals and the like, alienated their affections, especially considering how those moneys were mis-employed, indeed rather thrown away, partly in the two dishonourable

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Charles proclaimed King.

French Alliance concluded.

able treaties of *Spain* and *Germany*, and the consequential entertainments, and partly in largesses upon his Minion *Buckingham*. Between this disaffection and contempt in his people, there was generated a general disposition to turbulent and boystrous darings, and expostulations even against his darling Prerogative; And though those dismall calamities which beset his son, were doubtlesse amplified by a superfetation of causes, yet was their first and main existency derivative from those feminalities; Let Court-pens extol the calmnesse of his Halcyonian reign with all artifice of Rhetorique, yet can they never deny but that admired serenity had its set in a cloud, and that he left to his successour both an empty Purse and Crown of thornes.

The death of this famous Monarch caused no other *Interregnum* then of Joy, his Son *Charles* being immediately by Sir *Edward Zouch* (then Knight Marshall) proclaimed at the Court gate, *King of Great Britain, France, and Ireland*. His first act of Regality was to dispatch Aviso's of his Fathers decease to forein Princes, and States his correspondents, with whom he was in amity. Next he took into care the becoming obsequies of the Royal Corps, which removed from *Theobalds* to *Denmark* house in *London*, *April* the 23. was thence the 4. of *May* conveyed to *Westminster*, and there in-hum'd, with the greatest solemnities and most stately ritualities could be devised.

Though grief had taken up the principal lodgings of K. *Charles* his heart, yet did it not quite turn love out of doors, but he had still an eye to *France*, and held himself concern'd to let his Agents know he was mindfull of the stock he had going there; and to rear a firm assurance of his serious intentions, he sent over letters of procuration for the *Duke of Cheveraux* to espouse the Lady *Henrietta Maria*: only he added this especial pre-caution, that those Letters should not be resigned up untill *May* the 8. when the celebrities of his Fathers Funerall would be over; for he would not that Grief and Joy (things incompatible) should juffle. These instructions were precisely observed, and on *May* 11. the Espousals solemnized in the Church of *Nostre-Dame* at *Paris*; the Queen being given by her two Brothers, the King and *Monsieur*. The Nuptials past, his Majesty thought long till he was personally, as well as virtually, united to his beloved moiety, and therefore dispatcheth over the Duke of *Buckingham*, and the Earl of *Montgomery*, with other personages of quality, both to accelerate her transfretation, and wait upon her with the greater splendour. *May* the 24. they arrived at *Paris*, and *June* the 2. the Queen (after the iteration of most affectionate adieus, reciprocated and interchanged between the King and her self) set forward for *Amiens*, where being attended with a most princely retinue, she was under the restraint of a magnificent entertainment, till

till the 16. of that moneth; thence she dislodged for *Bulloign*, where she was to imbarque for *England*, (the contagion being then much at *Calais*) there she found ready to receive her, one and twenty tall Ships sent from her Dearest, with a gallant Convoy of the Dutcheſſe of *Buckingham* and other Ladies of honour and eminence to serve her. *June 22.* she set sail for *England*, and landed safe at *Dover* after a turbulent and tempestuous passage. His Majesty lay that night at *Canterbury*, and next morning with joy incredible greeted his royal Consort, and conducted her to *Canterbury*, where the marriage was finally completed; the *Duke of Cheverence*, his Majesties former Representative, consigning up his precious charge to the King. From *Canterbury* his now dual Majesty took coach for *White-hall*, where the third day after their arrivall, presenting themselves in their Royal Thrones before the Nobles of the Realm, their Marriage was declared with great exultations and rejoycings: but soon after they were warned to depart, for *London* being then visited and empested with a fierce and furious contagion, it began to enlarge its quarters so far, as at length it seized even *White-hall* it self, which necessitated the King and Queen to remove to *Hampton Court*.

It doth, I know, render King *Charles* obnoxious to untoward and sinister descants, that he commenced his reign with so inauspicious an omen, as that prodigious pestilence; yet, setting aside that mortality had now taken forth a larger Commission, what can be imputed more to him, then that he did Patrizze? Would the suggestors of that oblique construction search counter, little more then a score of years, they might learn that King *James* (who enjoyed the longest term of peace of any *British* King since the Conquest) initiated his government with, and under the same calamity. Nay it is farther remarkable, that these two plagues, that of the Father, this of the Son, were natives both of one Parish (*White Chappel*) yea under the same roof, and issued forth on the same day of the moneth; such correspondence was there in their entrance, who were so diversify'd in their exits.

To the former paragraph, and short discourse upon the grand Infection, give me leave to adde another, (and both within Historical toleration) by way of speculation upon the *French Alliance*. I have heard some great pretenders to *State-atology*, and who undertake to mate all events with their proper causes, passionately ascribe *Englands* calamities to those internuptials, and fetch that ireful stroke of divine Justice upon his late Majesty from his marrying a Lady of mis-belief. Grant I do that both *Englands* and his Majesties sufferings may in some sort be reductive to the causality of that match, but that there was any intrinsic noxiousness

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A Reflex up
on the Pesti-
lences

And upon the
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Ceteram urbem credendi simplicitas iustissimam facit.
Aug. Ep. Fundam. cap. 4.

ousnesse in it, either as *French*, or *Papish*, I am not yet convinced. As *French*, it could not morally operate any thing considerably destructive to us, in regard our correspondence and commerce with that nation was rarely lesse then during that alliance. Again, certain it is, and I have partly proved it before, that the self same spirit of contest (the main cause of our divisions) between regall Prerogative and popular Liberty (I had almost said Licentiousnesse) was emergent long before that marriage. Nor dare I affix direct and absolute culpability to it, upon the bare account of its being *Papish* meerly, which I can more easily dislike, then justly blame. It is, I know, with much confidence urged what *St. Paul* interdicted the *Corinthians*: *Be not unequally yoked*. But that prohibition being determined explicitly to Infidels, and persons of another Religion, is improperly apply'd to Papists, who hold the same fundamentals (the Creed Apostolical) with us, and are in truth of the same Religion, Christian, with us; to thousands of whom we dare not think the advenue's of eternal blessednesse precluded; for though there be many errors in the Church of *Rome*, which will not admit of reconciliation; yet are there many thousand members thereof whose incuriosity contented with ordinary and saving truths, neglect the acquaintance of those noxious mysteries, and are in the safest plight by reason of their plain and simple belief. It cannot be denied, but unity and individuation of perswasion in all points of sacred truths, were to be wished between married couples; yet notwithstanding it is not of such absolute necessity to Matrimonial bonds, but (where other accommodations of congruity respond not) we are probably indulged the choice of one of dissenting belief. And this was at this time King *Charles* his case, for such was the paucity of Protestant Princes, as the hole tribe of Reformation was not able to furnish and supply him with one single match of agreeable birth and fortune. But be the sin as great as malice it self can wish it; yet can it not be truly stiled his; who, though he was most concern'd, was least conversant in the transaction of the businesse; For, as I have already manifested, (before his adeption of the crown) the affair had clearly proceeded beyond an honourable retreat, being not only commenced, but fully and finally made up by his Father with the unanim vote of Parliament. So that to the obligation of his filial obedience, there was superinducted a decent complacence with the three Estates; the Principality of the crime (if a crime it must be) being theirs, theirs was also the greater condignity of the Block. But Divine vengeance issuing out no signal attachment against them, convinceth this idle suggestion of ill contrivance, since nothing is more preposterous then to punish the accessary, and discharge the prime offender.

The

The Reign of King Charles

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The same time while his Majesty was thus buried in his amorous negotiation abroad, he ply'd as well his interest at home, and while he wooed his Royal Mistress there, he made love to his people here by summoning a Parliament: that league being not more important to him as Man, then this as King; for as man is without a female consort, so is a King without his supreme Council, an half-form'd, sterilt thing; the natural extracts of the one procreated without a wife, are not more fruitful then the politique descendants of the other without the coition of a Representative. The solemnity of this grand match was commenced at Westminster, June the 18. At the first interview it appeared under the scheme and fashion of a money Wedding, and in truth the publick affairs did then implore no lesse. Upon the opening of the Parliament, the King imparted his mind to the Lords and Commons to this effect.

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A Parliament
called.

And Assembled.

My Lords and Gentlemen,

YOU are not ignorant, that at your earnest entreaty, March, 23. 1623. my Father (of happy memory) first took up armes for the recovery of the Palatinate, for which purpose by your assistance, he began to form a considerable Army, and to prepare a goodly Armado and Navie-Royall. But death intervening between him and the atchievement, the war with the Crown is devolved upon Me. To the prosecution whereof as I am obliged both in Nature and Honour, so I question not but the same necessity continuing, you will cherish the action with the like affection, and further it with a ready contribution. True it is, you furnished my Father with affectionate supplies, but they held no symmetry or proportion with the charge of so great an enterprise. For those your donatives are all disburs't to a penny,

The Kings
Speech.

C

and

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and I am enforced to summon you hither to tell you, that neither can the Army advance, nor the Fleet set forth without further aide. Consider, I pray you, the eyes of all Europe are defixt upon me, to whom I shall appear ridiculous, as though I were unable to outgoe muster and ostentation, if you now desert me. Consider it is my first attempt, wherein if I sustain a foyle, it will blemish all my future honour. If mine cannot, let your own reputation move you, deliver and expedite me fairly out of this war, wherewith you have encombred, let it never be said, whereinto you have betrayed me. I desire therefore your speedy supply; speedy I call it, for else it will prove no supply. The Sun you know is entring into his declining point, so it will be soon too late to set forth, when it will be rather not too soon to return. Again, I must minde you of the mortality now regnant in this City, which should it (as so it may, and no breach of priviledge neither) arrest any one Member of either house, it would soon put a period both to consultation and session, so that your own periclitation necessitates an early resolution. In sum, Three of the best Rhetoricians, Honour, Opportunity, and Safety, are all of a plot, and plead, you see, for expedition. Perhaps it may be expected I should say something in way of account of my Religion, as also of the temper and tenour of my future Government.

ment. But as I hope I have not been guilty of any thing which may justly start the least question in either, so I desire you would repose in this assurance, that I will in neither vary from those principles wherein I have been instituted at the feet of that eminent Gamaliel my late Father.

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His Speech being ended, the King vailed his Crown, a thing rare in any of his Predecessors.

Though deny'd it could not be, but this Speech was elemented of very rational materials, and ponderous arguments, yet did it not cause such a precipitation of resolution, but that the Parliament did descend to consideration of it by degrees. That which retarded the debate was this. They had in store by them two *Petitions*, one for *Religion*, the other against *Grievances*; to which, having been model'd in King *James* his time; and prefer'd to him at the close of the last Session of the last Parliament, they as yet never received answer. They said it was the ancient, and as they conceived, a most prudentiall practice, to present *Petitions* at the Commencement of Parliaments, or so long before their dissolution, as the King might have time to return a full and deliberate answer; That the same course they were resolved strictly to pursue, and give priority of dispatch to those *Petitions*, before any other business whatsoever; which accordingly they did. To the severall heads against grievances his Majesty gave a distinct and satisfactory answer, and promised largely to the *Petition* for Religion: and the better to draw on supplies, he did audit to them the severall disbursements, both relating to the Army and Navie, that all jealousies of mis-employment might be removed; which produced so good effects, as the Laitie gave him, freely and without condition, two *Subsidies* from Protestants, and four from Papists, as a mulct of the House upon their Recusancy, and the Clergie three.

The Parliaments Answer.

In this Session of Parliament was Mr. *Mountague* questioned for publishing certain Books prejudiciall to the Protestant cause, for which he was ordered to be brought to the bar, to whom the Speaker declared the pleasure of the House; That they would reserve his censure to their next meeting, and in the interim in respect of his notorious contempt, he should stand committed to the Serjeants Ward, entering Bail for his then appearance.

Mr. Mountague questioned.

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But Mr. Mountague had by the artifice of his Court friends cunningly crept into the Kings service undiscerned, and the King signified to the Parliament two days after, *That he thought his servants (whereof Mountague was one) might have as much protection as the servant of an ordinary Burgesse.* Neverthelesse his bond of two thousand pound whereupon he was tailed, continued uncanceled.

This Session was also enacted a Law for punishing of divers abuses committed on the *Lords-day* called Sunday.

A Law enabling the Kings Majesty to make Leases of Lands parcel of his Highnesse Dutchy of *Cornwall*, or annexed to the same.

A Law for the ease in obtaining of *Licences* of *Alienation*, and in the pleading of *Alienations* with *Licence*, or of *Pardon* of *Alienation* without *Licence*, in the Court of *Exchequer* or elsewhere.

A Law for the further restraint of tipling in Innes, Alehouses and other Victualling houses.

An Act that this Session of Parliament shall not determine by his Majesties royall assent to these Acts.

There passed also in the House of Commons a Bill of *Tunnage* and *Poundage*, but because it was limited to a year, whereas former grants to his Majesties predecessors were for term of life, it was foundred in the Lords House, and went no further; the cause of this restraint was,

In the Parliament 18. of King *James*, the Kings Councell culled out of that Act reasons for pretermitted Customes, and other impositions, which were then charged upon, and grievances to the Subject. Again, there had been lately set an immoderate rate upon those Customes, and therefore they had in designe to reduce them to the rate settled in Queen *Maries* dayes, but they had not time enough at present to make the Reformation.

August the first the Parliament met again at *Oxford*, the Divinity Schoole was appointed for the House of Commons, and the Galleries above for the House of Lords. The fourth of the same month both Houses were called together to *Christ-Church-hall* by the King, where he laid open to them his wants for setting forth the Fleet. But the Parliament before they would return his Majesty any answer, presented him with a Petition against Recusants to this effect.

The Parliament assembled at Oxford.

Most

Most Gracious Sovereign,

IT being infallibly true that nothing can more establish your Throne, and assure the peace and prosperity of your People, then the unity and sincerity of Religion; We your Majesties most humble and loyal Subjects and Commons in this present Parliament assembled, observing that of late there is an apparent mischievous encrease of Papists within your Dominions, hold our selves bound in conscience and duty to present the same unto your sacred Majesty, together with the dangerous consequences, and what we conceive to be the most principal causes, and what may be the remedies thereof.

1. Their desperate ends, being the subversion both of Church and State, and the restlesnesse of their spirits to attain those ends. The Doctrine of their Teachers and Leaders perswading them, that therein they shall do God good service.

2. Their evident and strict dependence upon such forain Princes, as no way affect the good of your Majesty and this State.

3. An opening a way of Popularity to the ambition of any who shall adventure to make himself head of so great a party.

The principall causes of the increase of Papists.

1. The want of due execution of the Laws against Jesuites, Seminary Priests and Papists Recusants, occasioned partly by connivence of the State, partly by many abuses of Officers.

2. The interposing of forain Princes by their Ambassadors and Agents in favour of them.

3. Their great concourse to the City, and their frequent conventicles and conferences there.

4. The education of their children in Houses and Seminaries of their Religion in forain parts, which of late have been greatly multiplied and enlarged, for the entertainment of the English.

5. That in many places of this your Realm, your people are not sufficiently

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sufficiently instructed in the knowledge of true Religion.

6. The licentious publishing of Popish and seditious Books.

7. The employment of men ill affected in Religion in places of Government, who countenance the Popish party.

The Remedies be these:

1. That there be great care taken in choise, and admitting Schoolmasters, and that the Ordinaries make diligent inquiries of their demeanours, and proceed to the removing of such as shall be faulty.

2. That the ancient Discipline of the University be restored, being the famous nursery of literature.

3. That for the propagation of the Gospel, such able Ministers, as have been formerly silenced, may by fair entreaty of the Bishops be reduced to the service of the Church, and that Non-residency, Pluralities, and Commendums may be moderated.

4. That a straight provision may be made against transporting of English children to Popish Seminaries beyond Seas, and for recalling such as are there already.

5. That no Popish Recusant be permitted to come within the Court, unless upon speciall occasion, agreeable to the Statute 3^o Jacobi.

6. That all Jesuites, Priests, and others having taken Orders from the See of Rome, may be banished by Proclamation, and in case of disobedience may be proceeded against according to the Laws of the Land.

7. That none by any authority derived from the See of Rome be permitted to confer Orders, or exercise any Ecclesiasticall function within your Majesties Dominions.

8. That all former grants of Recusants lands made to the use and interest of such Recusants, may by the advice of your Majesties Council be voided.

9. That all Recusants may be excommunicated, and not absolved but upon conformity.

10. That all Recusants be removed from places of authority and government.

11. That all Recusants be disarmed according to the provision of the Law.

12. That they may be all confin'd to remain at their Country habitations, and not to travell above five miles from thence.

13. That none of your Majesties naturall born subjects be suffered to repair to the hearing of Masses, or other superstitious service at the Chappels or houses of forain Ambassadors or elsewhere.

14. That all such insolencies as any Popishly affected have lately committed to the dishonour of our Religion, be exemplarily punished.

15. That

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15. That the penalty of 12 d. every Sunday for default of coming to Divine Service in the Church, without lawfull excuse, may be put in execution.

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Lastly, that your Majesty would be pleased to order that the like courses may be taken in Ireland, for the establishing of true Religion there.

To all these severall branches the King return'd August 7. an answer so plausible and satisfactory, as nothing could be desired more.

The Kings
Answer.

One good turn requires another, and as the King had given the Parliament ample content by this answer: so he hoped they would be as cheerfull in supplying him with moneys, for which he earnestly importuned them, and especially for his great Naval preparation. Whereupon ensued a great debate in the House, some were very prompt to give, some would give, but in convenient time, not then: Some would give, but they complained that the design was managed by *Young and Single Councill*, that *Sir Robert Mansel* a man of judgement and experience, had declared against the *Plor*, and had tendred the Councill of War a project of greater advantage and lesse expence, which was approved by the Lord of *Chichester*, To which the *Solicitor* replied in the *Dukes* behalf, that the Councel of War, for the generality, much disliked the project of *Sir Robert*, and concluded upon what was then intended. But the greater part agreed not to give, and to make an humble *Remonstrance*, declaring the causes and reasons of their not giving. Most of the voters of this *Remonstrance*, flew high and impetuously prest in upon the *Duke*, some would devest him of his offices, the Admiralty especially; others of his Revenue, by refusing what he posselt of the Crown demeanes, others demanded an account of what publick monies he had been entrusted with. This being signify'd to the King, he soon prognosticated of what quality the *Remonstrance* would prove, therefore in distast he determined to dissolve the Parliament. The House of Commons were resolved into a Grand Committee, when the *Usher* came from the Lords house with that message, and before they would permit the *Solicitor*, then in the chair, to leave his seat, they agreed upon a Protestation, which *Mr. Glanville* stood up and declared to this effect:

First, To give his Majesty thanks for his gracious answer to our Petition for Religion.

Next,

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Next, For his Care of our healths, in giving us leave to depart this dangerous time.

Lastly, A dutifull declaration of our affection, and loyalty, and purpose to supply his Majesty in a Parliamentary way, in a fitting and convenient time.

The Parliament dissolved.

This being done the Speaker took the Chair, and admitting the Usher he delivered his message from the Lords concerning the dissolution of the Parliament.

Treaty with the united Provinces.

The dissolution of the Parliament gave the King an *otium* for his Summers pastime, and, that his own progresse might not impede That of his affairs, his Councel were his Synodites, and went along with him; by whose generall advice two things were most considerably resolved upon: *First, that the Fleet should speedily put out to sea. Secondly, that a more straight amity should be entered into with the States of the united Provinces*: who resorting to the King in September by their Ambassadors, prayed his conjunction with them in a league *Offensive and Defensive* against their common enemies, the *Emperor* and King of *Spain*; and not only so, but that he would also assist them in soliciting other Princes to associate with them in a confederation of equall latitude. To which our King freely condescended (upon agreement that the *States* should bear a fourth part of the charge of the Fleet) and in pursuance thereof sent in *October* next the Duke of *Buckingham* and the Earl of *Holland* over to the *Hague*, both to confer with the Ambassadors of other Princes about it, and to put his disconsolate sister in some hopes of her restitution to the *Palatinate*. But these two being arrived in *Holland*, found the Agents of *France & Denmark* not impowered to so large a concession, alleading that their Masters condition was indisposed to so ample a compliance; whereupon for the better satisfaction of, and accommodation to all parties, the League was concluded in these words, *For the restoring the Liberties of Germany.*

The ill success of Gades Voyage.

This negotiation having taken up somewhat more then a month, home returns the Duke and Earl, where they abode not long, before they were saluted with the current news of the misfortune of Vicecount *Wimborons* Fleet at *Gades*.

October the eight the Admiral put forth to Sea, and on the twelfth was encountred with so furious a storm, that in conflict and skirmish with it, all his long-boats and the *Long-Robert* of *Ipswich*, a Ship wherein

wherein were a hundred seventy five persons perished, and the rest were so dissipated and scattered, that for seven daies, fifty of the *English Navy*, being in all but eighty, were missing. Again, when they met together in the height of the *Southern Cape*, and had a desire to make some local onset, a Councell of war being cal'd to resolve where the accompt should be first made (their Commission leaving them at that liberty) the debate was so long, as in the interim their discovery alarum'd the next coast to a posture of defence. At length the Councell determined an assault upon the Ships in the Bay of *Gades*, a design much urged by the Earl of *Essex* Vice-Admiral, who eagerly desired there to play over his game of honour again, double or quit with the *Spaniards*. But that Fleet lay in a harbour inaccessible, unlesse the Fort belonging to *Puntal Castle* could be cleared; therefore order was given, *That twenty English and five Dutch Ships should advance for that service*. But the slender reputation the Admiral had amongst the Mariners (as one ignorant in Sea affairs, and a deep disgust they took that he should be obtruded and thrust upon them in stead of Sir *Robert Mansel*, a gentleman peculiarly qualified for and longtraded in Sea exploits, and who had an unquestionable right to the chief conduct of this enterprise upon the *Dukes* default) so lessen'd the influence of the authority, that the five *Dutch* only attended their duty, not a man of the other twenty stirring: which caused the Admiral from ship to ship personally to re-inforce his command, untill with much adoe he obtained their advance and engagement against the Castle; which, contrary to expectation, entertained the shock with so sturdy a defiance, as neer two thousand great shot put it not to the detriment of one stone. Whereupon the Admiral concluding it that way impregnable, decreed to try it by a Land-force; to which end Sir *Fohn Burroughs* (a Gentleman of eminent gallantry in Martiall feats) was sent with a Regiment of Foot to manage that design; He going upon the service, met with some Horse and Foot of the enemies intending to impede his march, but he welcomed them with such a storm of courage, that the Caprain Governour of the Castle viewing the tergiversation and flight of his party, began to dislike the situation of his strength, and hang out a white flag, whereupon a parly ensued, and a *resignation* upon that *Parly*. The Fort with fifteen barrels of Powder, and eight pieces of Ordinance being now ours, the ships were consequently in the generall expectation adjudged us: therefore instructions were issued out for the firing of them, and Sir *Sammel Argall* was appointed to be the incendiary. And in the interim the Field-men were directed to land for their recreation, to take in fresh-water, to forrage the Country, and to keep the stronger guard: but no sooner were they on shore,

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then they discovered the cellars plentifully stock't with wine, whereof they caroused so liberally (every one being his own Vintner) in despite of more sober commands to the contrary, as put them upon the hazard of a dismall reckoning; for had the Spaniard known his advantage, he might have made a lamentable butchery amongst them, being worse fitted for flight then resistance, and the more disabled from running who were not able to stand. The Admirall finding the souldiers thus insufferably disordered, and perceiving that to stay longer were bootlesse, resolved to put to Sea again, and the rather by reason the *Plate-Fleet* from the *West-Indies* was now expected every day. But first he sent to Sir *Samuel Argal* to know what execution he had done, who returned answer, that their purpose was defeated by the enemies drawing up their best ships to *Port Royal*, and sinking others in the Channel, thereby to obstruct the advance. Matters succeeding thus ill, the Admirall re-imbarques all and hoysing up sayl plies for the *Southward Cape*, there intending to wait twenty dayes for the *Plate-Fleet*, hoping to achieve something against it, which might be adæquate to, and make even with the generall expectation at home: but he was in no capacity to performe any thing considerable against an enemy, unlesse by communication of his own calamity, for the contagion so reigned in his Navie, that there were not hail men enow to handle the sails; and to make the affliction more sociable, there being a hundred and fifty sick in the *S. George*, the Councel ordered (an odde method of cure) that every ship should take to nurse a couple of the sick, and subfortitiously, by lot, to supply their places with as many sound. This course so propagated the infection, that it soon swept thousands over-board. This calamity took away the Admirals stomach to the *Plate-fleet* (which passed by within four dayes after) and enforced him to ply home with all the speed he could; but his motion was so retarded, that the newes of his miscarriage much outwent him, and while every man stood gaping after the issue of the expedition, fame flew into his mouth, and fill'd it with the report of what a bad market of reputation the *English* came to.

Descants upon
it.

Severall were the Descants of such as pretended to judicious censure, as fancy or affection swayed the ballance; some blamed the Parliament for not supplying the Kings necessities, whereby the Fleet put forth too late, *October* being alwayes accounted with us a month formidable to Navigation, in regard of the usuall tempestuoufnesse of the season, known under the notion of *Michaëlas flaw*. Some reflected sinisterly upon the Duke, saying, *It never either was, or will be well with England, while the Sea is under the command of an Admirall so young, and withall so inexperienced.* Others also made deductions from this miscarriage in reference to the

the King, that becauſe commencing do often forſpeak the qualification of future contingencies in the ſeries and row of ſucceeding affairs; they much feared this was but the earneſt of ſome inauſpiciousneſſe which would attend the reſidue of his reign. Nor amongſt the reſt was Captain *Breſt* conjecture vain, who told the Duke, *That the Fleet was never like to ſpeed better, wherein there went along, Bag without money, Cook without meat, and Love without charity*; ſo were the three Captains nam'd; and a great default there was, doubtleſſe, of ſufficient pay, of wholeſome meat, and unanimity.

The reſult of this undertaking (for action I cannot call it) affording no better income of honour to us, I have abbreviated to as narrow a ſcantling as I could; for *Journals* muſt not intrude into Hiſtory, but where every day exhibiteth ſomething remarkable; whoſe concealment may ſeem injurious to the narrative; or fraudulent to the merit of the exploit.

The *Michaelmas Term* was, by reaſon of the infection at *London*, tranſlated to *Redding*, from whence the King, according to his late answer in Parliament, iſſued out in *November*, a *Commiſſion* to the Judges to ſee the *Lawes* againſt *Recuſants* put in execution.

November the eleventh, his Maſteſty minding what he promiſed at *Oxford*, ordered a *Commiſſion* to be ſent out under the Great Seal, for putting in execution *Lawes* enacted againſt *Recuſants*. This *Commiſſion* was read in all the Courts of Judicature at *Redding*, and withall a Letter was directed to the *Archbiſhop* of *Canterbury*, enjoining him to take ſpecial care within his Province for the diſcovery of *Jefuites*, *Seminary Priests* and other *Recuſants*, offenders againſt the *Lawes*. It was in truth high time for ſevere proceedings againſt them, they having contracted ſo much inſolence, preſuming protection by reaſon of the late match, that at *Wincheſter*, and many other places, they frequently paſſed through the Churches in time of Divine Service, houting and ho-lo-ing, not only to the diſturbance of that duty, but ſcorn of our Religion; yea and one *Popiſh* Lord when the King was at *Chappell*, was heard to prate on purpoſe lowder in a Gallery adjoyning, then the *Chaplain* prayed, whereat the King was ſo moved, that he ſent this meſſage to him, *Either let him come and doe as we doe, or elſe I will make him prate further off.*

In the beginning of the next year mighty preparation was made both here and in *Scotland*, for the re-inforcing of Navall ſtrength. Nor was the *Land-Militia* left unregarded, but becauſe the Country *Captains* of the Train-bands were (for the generality) very unſkilfull and rude in the uſe of their Armes, an

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Term adjourned to Redding.

Proclamation againſt Recuſants.

The Papiſts inſolent.

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The King
Crowned.

Obtineat gratiam
huic Populo
sicut Aaron
in Tabernaculo,
Elizem in flu-
vio, Zacharias
in Templo. Sit
Petrus in clavis,
Paulus in dog-
mare.

A Parliament
called.

Williams L.
Keeper dis-
placed.

hundred and fifty ~~Veteran~~ Soldiers were sent for out of the Low countries to drill and discipline them.

The malignancy of the air, having lain under the correction of a stopping and frosty winter, began to contract a more salubrious temper, whereby the plague decreasing, the King secure of safety, began to meditate magnificence, and matters of publick concernment. And the first thing resolved upon was, his solemn initiation into Regality, and setting the Crown upon his head: a thing practised by the wisest Monarchs, as wherein they cannot be idle to better purpose. For though it conferreth no one dram of solid and real grandure to the throne; yet ceremoniated, as it is, with such formalities, it representeth it self a serious vanity. For as the King enters recognizance and stipulateth with the people to govern according to Law, so they unanimously acclaim him their King, all suitable to the ancient mode of conveying Sovereignty.

The day appointed for this ceremony was Feb. the 2^d. The King, whether more provident for his person (which so great a concourse might endanger) or purse, uncertain, rode not to Westminster through the City after the ancient fashion, but went privately by water: this design was a frugall one, and saved him sixty thousand pound which should otherwise have been disbursed in Scarlet for his train; and little was the day lesse glorious for the No-rubrique of solemnity, considering it wanted it not in the Calendar. Two things were of singular remarque in the order of this celebrity. First, that whereas it did peculiarly belong, *ex officio*, to the Dean of Westminster, to powre the sacred oyle upon the Kings head, Dr. Williams that Dean, and Bishop of Lincoln, was put by, and Dr. Laud, Bishop of Bath and Wells, ordered to officiate in his stead. Secondly, That some words in a Prayer, which had been omitted ever since Henry the 6. his time, were resumed and used to this effect; *Let him obtain favour for this people like Aaron in the Tabernacle, Elifha in the waters, Zacharias in the Temple, give him Peters key of Discipline, Pauls Doctrine.* Other variation than this, there was none; nor was this variation the solitary act of Laud alone, but of a Committee: this I positively assert, as, minding the reformation of a vulgar error thrown abroad in loose pamphlets, that Bishop Laud altered the Coronation Oath; whereas the Oath it self was precisely the same with former precedents.

The Coronation being past, the King prepareth for a Parliament now approaching. The last was somewhat (he thought) uncivil towards the Duke, and the (so thought) Delinquents must be made examples; upon this account the Lord Keeper Williams fell, and his place was disposed of to Sir Thomas Coventry: his mischief was not great, his cancellier, his fall being only from the

the first lost, for though he parted from the *Grasscut*, he kept the *Lawn Sleeves*, and though he left the *Purse* behinde him, he went away with the *Money*: having feathered his nest pretty well, and apprehending his condition to be somewhat tottering, he made all the means he could to re-incorporate himself with the Duke, but nothing could prevail, nor would the Duke be exorated, no nor by the intercession of the *Cousin*, his Mother, who loved the Bishop (if I am belies her not) better then was fit; but it was not enough to pluck his feathers, unless his nallies were pared also. For being a Bishop, and consequently a Member of the House of Peers, he was still able to appear an eminent opposer of the Dukes, and to do him some considerable mischief, therefore the best expedient for the Dukes security, was to interdict him with the *Earls of Somerset, Middlesex, Bristow*, (all of an inclination, though not all of a plume) the Parliament House.

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On the 6 of this February the Parliament met, the Commons began their work where they last broke off at Oxford, making Religion their first, which was their superlative care, and recollecting what a full and satisfactory answer the King gave to their Petition against *Recusants*, and his Commission issued out in pursuance of that answer, appointed a Committee for Religion, impow'ring them strictly to examine what abuses of his Majesties Grace had occurred since that time, who were the authors and abettors of those abuses.

The Parliament meet.

Mean while the Lords had formed an addresse to the King concerning a grievance to their own Order, represented thus:

A Petition from the Lords.

To the Kings most Excellent Majesty.

In all humility,

Sheweth unto your most Excellent Majesty your ever Loyal subjects the Lords Spiritual and Temporal now in Parliament assembled;

That, whereas the Peers and Nobility of this your Kingdom of England have heretofore in civility yielded, as to strangers, precedency according to their several degrees unto such Nobles of Scotland and Ireland, as being in titles above them, have resorted hither.

Now divers of the naturall-born subjects of this Kingdome, resident here with their Families, and ha-

ving

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ving their chief Estates among us; do by reason of some late created dignities, in those Kingdomes of Scotland and Ireland, claim precedency of the Peers of this Realm, which tends both to the dis-service of your Majesty and these Realms, and to the great disparagement of the English Nobility, as by these reasons may appear.

1. It is a novelty without precedent, that men should inherit honours where they possesse nothing else.

2. It is injurious to those Countries from whence their Titles are derized, that any should have Vote in Parliament, where they have not a foot of land.

3. It is a grievance to the Country where they inhabit, that men possessing very large fortunes and Estates, should by reason of forain titles, be exempted from those services of trust and charge, which through their default, become greater pressures upon others who bear the burthen.

4. It is a shame to Nobility, that persons dignified with the Titles of Barons, Vicounts, &c. should be obnoxious and exposed to arrest, they being in the view of the Law no more then meer Plebeians.

We therefore humbly beseech your Majesty, that you will be pleased, according to the example of the best Princes, and Times, upon consideration of these inconveniences represented to your Majesty by the nearest body of Honour to your Majesty, that some course may be taken, and an Order timely setled therein by your Princely wisdom, so as the inconvenience to your Majesty may be prevented, and the prejudice and disparagement of the Peers and Nobility of this Kingdome may be redressed.

The Earl of
Arundel confined.

Soon after the presenting of this Petition (to which the King reply'd, *He would take order therein*) the Earl of Arundel was committed to the Tower. The cause was a marriage consummate between his son the Lord Maltravers, and the eldest daughter of the late Duke of Lenox, whom the King (being Guardian to them both) had so far designed to, as he had concluded the match with

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with the Earl of *Argiles* Heir, the Lord of *Lorn*, (who was brought up in *England* in the Protestant Religion) meditating thereby a reconciliation of those two families, who had for many years been at deadly feud. The Earl asked his *Majesties* pardon, protesting himself no way privie to the plot, and that it was acted between the Dutchesse of *Lenox* and his own Countesse in a clandestine way.

But this commitment of the Earl presently moved the house of Peers to exhibit another Petition, representing therein to the King that it is their undoubted right [That no Peer, sitting in Parliament, is to be imprisoned without order from the House of Peers, unlesse it be for *Treason*, *Felony*, or refusing to give security for the Peace.] They had the more reason to urge their priviledge at this time, because the Earl had deputed to him six Proxies, which would be of no validity during his restraint. Upon this Petition a great debate arose between the King and Lords about the Priviledge of their House, which lasted from *March 14.* untill *June* the 8.

During these things the House of *Commons* acted little, being in expectation of some discovery from their *Committee*, from whom Mr. *Pim* at length made a report of a letter written to the Lord Mayor of *York*, for reprieving some *Jesuites*, *Priests*, and other *Recusants*. This Letter being under the *Signet*, a Sub-Committee was ordered to search the *Signet Office*, and compare it with the Originall.

These proceedings inwardly much displeased the King, yet he smothered the indignity for a time, though he after inventory'd it to them amongst his other regrets. And plying his more important affairs with a most stedy temper, he sent a message to them by Sir *Richard Weston* to this effect.

The King demands supply.

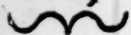
That his Fleet is returned, and their victuals spent, the men must of necessity be discharged and their wages paid them, or else mutiny will follow, which may be of dangerous consequence.

That he hath in readinesse about forty ships to be set forth upon a second service, which want a present supply of moneys.

That the Armies quartered on the coasts, want victuals and cloathes, and they will disband if not furnished.

The Companies of Ireland lately sent, must speedily

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Mr. Coke and
Dr. Turner
their bold
Speech.

The King re-
quires satisfac-
tion,

By the Lord
Keeper.

His Speech.

dily be provided for, else they may be subject to rebell.

Lastly, the season for providing healthfull victuall will be past, if this moneth of March be suffered negligently to elapse.

And therefore he desired to know, without more ado, what present supply he must depend upon from them, that accordingly he might shape his course.

In stead of a supply to his message Mr. Clement Coke (son to Sir Edward Coke) a Member of the House of Commons, let fly this reply. It is better to dye by a forein enemy, then to be destroyed at home. And as if the Prerogative had not been sufficiently alarum'd by that expression, one Turner a Doctor of Physick, reassaults it in these six Queries.

1. Whether the King hath not lost the Regality of the narrow Seas, since the Duke became Admiral?
2. Whether his not going as Admiral in this last Fleet, was not the cause of the ill successe?
3. Whether the Kings revenue hath not been impaired through his immense liberality?
4. Whether he hath not ingrossed all Offices, and preferred his kindred to unfit places?
5. Whether he hath not made sale of places of Judicature?
6. Whether Recusants have not dependence upon his Mother and Father-in-law?

This was uncouth language to a Princes ears, but who can expect that in so vast a body, and masse of men, all parcels should take salt alike, and that no part should have rancidity in it? And perhaps this clamor and noise might be the rudeness of some few new admitted into that great School of wisdom, the greater part continuing (it's possible) sincere, and loyal; therefore the King sends Sir Richard Weston to them requiring satisfaction. But the House was slower in the work, then was agreeable to his Majesties minde, so intent upon some severe proceedings against them: upon this he called the Lords and them together, and by the Lord Keeper, his proper Speaker, thus conveys his displeasure to them.

"My Lords and you the Knights, Citizens and
"Burgesses of the House of Commons, His Majesties
"command hath summoned you hither, and the
"same command hath put me upon the service of
"fig-

signifying his will to you. His will was that both Houses should be called together; you, my Lords, as witnesses of the justice of his resolutions, and of this addresse to the House of Commons.

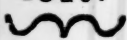
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His Majesty would have you know, there never was King who better loved his people, or was more sincerely affected towards the right use of Parliaments, or more ready to redresse what shall be represented unto him in the quality of grievance, provided it be in a regular and decent way, then Himself: but he would also have you know, that, as he loves his People, so he regards his Honour; and if he be sensible of his Subjects grievances, of his own he is much more, especially when they flow from offences of such a nature, as not only blast his reputation, but impede the progress of his weighty affairs. To come to particulars.

His Majesty saith, that, whereas Mr. Coke spake very seditious words in your house, he was so far from being questioned or censured for them by you, as Doctor Turner (animated with the same spirit) made them his introduction to certain Articles of inquiry of as unfavoury a condition, pretended against the Duke, but in truth libelling his Majesties Government. And though his Majesty did not only by Sir Richard Weston, but in his own person declare his just displeasure, and demanded justice against those exorbitants, yet have you not only halted in your obedience to him, but have followed the very steps of Doctor Turner, and upon false-bottom'd suggestions endeavoured to disstain his Own and Fathers honour.

He also complaineth that you have taken upon you to search his Signet Office, and to examine
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the Letters of his Secretary of State, leaving him nothing free from their discovery : a thing not formerly practised.

As concerning the *Duke*, whom you seem to persecute with such asperity of disgust, I am also commanded to tell you, that his Majesty knowes (none better) he acted nothing of publique employment, without his speciall Warrant; that he hath discharged his trust with abundant both care and fidelity; that he merited that trust both from his now Majesty and his late Father, by his personal hazard both at home and abroad; And that since his return from *Spain*, he hath been sedulous in promoting the service and contentment of your *House*. It is therefore his expresse command, that you absolutely desist from such unparliamentary disquisitions, and resign the reformation of what is amisse to his *Majesties* care, wisdom, and justice.

I am also to speak about the businesse of supply; you have been made acquainted with the posture of his *Majesties* affairs both forain and domestique, and with his necessitous condition; the charge of all martial preparations, both by sea and land, hath been calculated to you, and you promised a supply both speedy and sutable to his occasions; but his *Majesty* complaineth, that as yet, you have performed neither, failing both in the measure and in the manner. In the measure, by granting only three subsidies, and three fiftens, a proportion vastly short of what is requisite. In the manner, being both dilatory and dishonourable to the King, as arguing a distrust of him; for you have ordered the Bill not to be brought in to the House untill your grievances be both heard and answered: which is such a tacite
con-

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condition, as his Majesty will not admit of,
Therefore his Majesty commands you to take it
into your speedy consideration, and to return your
final answer by *Saturday* next, what further ad-
dition you will make; and if your supplies com-
mensurate and equal the demands of the cause,
he promiseth to continue this *Session* to your just
content, else he must and will entertain thoughts
of your dismissal.

Lastly, I am commanded to tell you, that his
Majesty doth not charge these distempers upon the
hole body, and assembly of the *House*; but as he
is confident the greater number are persons of a
more quiet dispose, so he hopeth their influence,
and this his *Majesties* admonition will prevent the
like for the time to come.

The Lord Keeper having ended, the King said,

I must withall put you in minde of
times past; you may remember my Father mo-
ved by your counsel, and won by your per-
swasions brake the *Treaties*; in these perswasions
I was your instrument towards him, and I
was glad to be instrumental in any thing which
might please the whole body of the *Realm*:
nor was there any then in greater favour with
you then this man, whom you now so traduce.
And now when you finde me so sure intangled
in war, as I have no honourable and safe re-
treat, you make my necessity your privilege,
and set what rate you please upon your supplies:
a practise not very obliging towards Kings.

The Kings
Speech.

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The Com-
mons Reply.

Mr. Coke told you, it was better to dye by a forain enemy, then to be destroyed at home. Indeed I think it is more honourable for a King to be invaded and almost destroyed by a forain enemy, then to be despised at home.

The Commons nothing mortified with these tart and vinacre expressions, kept close to their proper stations, and by way of Remembrance reply'd,

That with extreme joy and comfort they acknowledge the favour of his Majesty's most gracious expressions of affection to his people, and this present Parliament.

That concerning Mr. Coke, true it is, he let fall some few words which might admit an ill construction, and that the House was displeased therewith, as they declared by a general check; and though Mr. Coke's explanation of his minde more clearly, did somewhat abate the offence of the House, yet were they resolved to take it into further consideration, and so have done, the effect whereof had appeared ere this, had they not been interrupted by this his Majesties: message and the like interruption beset them also in the businesse of Doctor Turner.

As concerning the examination of the Letters of his Secretary of State, as also of his Majesty's own, and searching the Signet Office and other Records; they had done nothing therein, not warranted by the precedents of former Parliaments upon the like occasions.

That concerning the Duke, they did humbly beseech his Majesty to be informed, that it hath been the constant and undoubted usage of Parliaments, to question and complain of any person of what degree soever; and what they should do in relation to him, they

they little doubted but it should redound to the honour of the Crown, and safety of the Kingdome.

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Lastly, As to the matter of supply; That if addition may be made of other things importing his service then in consultation amongst them, they were resolved so to supply him, as might evidence the truth of their intentions, might make him safe at home, and formidable abroad.

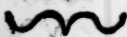
To the Remonstrance the King answered briefly, That he would have them in the first place consult about matters of the greatest importance, and that they should have time enough for other things afterwards.

But the Parliament accounted nothing of so great importance as a legall proceeding against the Duke: in order to which all encouragement is given by both Houses, to any who would inform against him. Upon this the Earl of Bristow, being secluded by the Kings command from the House of Peers, petitioned that House, that he might be admitted to prefer an accusation against the Duke. This request, as most equitable, the Lords readily granted, and Bristowes design coming to the Dukes ear, he plots amain (and high time) to encounter him. Many good men were passing jocund at the contest, between men at odds there never seemed an evener match, Bristow had, it's true, the better head, (yet some thought it was ill set on) but the Duke the better back, nor seemed the question in the sense of many, which was the Traitor, but which the most. And first the Duke (with a boldnesse becoming the clearest innocence) begins the onset, by whose perswasion the King commands the Atturney General to summon the Earl to the Lords Bar as a Delinquent, May the 1. Bristow appearing, the Atturney told the Peers, that he came thither to accuse the Earl of High Treason: with that the Earl, My Lords I am a Freeman and a Peer of the Realm untainted, I have somewhat to say of high consequence for his Majesties service, I beseech your Lordships give me leave to speak. The Lords bidding him go on, then said he, I accuse that man, the Duke of Buckingham, of High Treason, and will prove it. The Articles of his charge were as followeth:

The Earl of
Bristow accus-
eth the D.

- ' 1. That the Duke did secretly conspire with
- ' the Conde of Gondamar Ambassador of Spain before
- ' the said Ambassadors last return into Spain, 1622.
- ' to carry his Majesty then Prince into Spain, to the
- "end

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‘ end he might be enforced, and instanced in the
‘ *Romish Religion*, and thereby have perverted the
‘ *Prince*, and subverted the true *Religion* establish-
‘ ed in *England*.

‘ 2. That Mr. *Porter* was made acquainted there-
‘ with, and sent into *Spain*, and such message fra-
‘ med at his return as might serve for a ground to
‘ set on foot the conspiracy : which was done ac-
‘ cordingly, and thereby both *King* and *Prince*
‘ highly abused.

‘ 3. The *Duke* at his arrival in *Spain*, nourish-
‘ ed the *Spanish* Ministers not only in the belief of
‘ his own being Popishly given, by absenting him-
‘ self from all exercises of our *Religion* (then con-
‘ stantly used in the *Earl of Bristow*’s house) and
‘ conforming himself to please the *Spaniard* by
‘ kneeling to, and adoring their Sacraments, but gave
‘ them hope also of the *Princes* conversion ; which
‘ caused them to propound worse conditions for
‘ *Religion*, then had been formerly settled and
‘ signed by the *Earl of Bristow* and Sir *Walter*
‘ *Aston*.

‘ 4. That the *Duke* did many times in the pre-
‘ sence of the *Earl of Bristow*, move his *Majesty* at
‘ the instance of the *Conde of Gondamar*, to write a
‘ Letter to the *Pope*, which the *Earl* utterly dissu-
‘ ded ; and that although during the *Earls* abode in
‘ *England* he hindred the writing any such letter,
‘ yet the *Duke* after the *Earls* return procured it
‘ wrot.

‘ 5. That the *Pope* being informed of the *Dukes*
‘ inclination in point of *Religion*, sent him a parti-
‘ cular *Bull* in Parchment, therein perswading him to
‘ pervert his *Majesty*.

‘ 6. That the *Duke* in *Spain* did abuse the *King*
‘ of *Spain* and his Ministers so, as they would not
‘ admit

‘ admit of a Reconciliation with him; whereupon
 ‘ seeing the match would be to his disadvantage, he
 ‘ endeavoured to break it, not for any service to this
 ‘ Kingdome, nor dislike of it in it self, nor for that
 ‘ he found, (as since he hath pretended) that the
 ‘ Spaniard did not really intend it, but out of his
 ‘ particular end and indignation.

‘ 7. That he intending to crosse the match, made
 ‘ use of Letters of his Majesty then private to his own
 ‘ ends, and not to what they were intended, as
 ‘ also concealed many things of great importance
 ‘ from his late Majesty, thereby overthrowing his
 ‘ Majesties purposes, and advancing his own ends.

‘ 8. That, for the foresaid ends, he hath abused
 ‘ both Houses of Parliament by a sinister relation of
 ‘ the carriage of affairs, as shall be made appear in
 ‘ every particular of that relation.

‘ 9. That he imployed his power with the King
 ‘ of Spain for the procurement of favours and Offi-
 ‘ ces, which he bestowed upon unworthy persons,
 ‘ for the recompence and hire of his lust: which is
 ‘ a great infamy and dishonour to our Nation; that
 ‘ a Duke, a privie Counsellor and Ambassador, emi-
 ‘ nent in his Majesties favour, and solely intrusted
 ‘ with the person of the Prince, should leave behind
 ‘ him in a forein Court, so much scandall by his ill
 ‘ behaviour.

‘ 10. That he hath been a great part the cause
 ‘ of the ruin of the Prince Palatine, and his estate;
 ‘ in so much as those affairs concern this King-
 ‘ dome.

‘ 11. That he hath in his relation to both Houses
 ‘ of Parliament, wronged the Earl of Bristow in his
 ‘ honour, by many sinister aspersions.

‘ 12. Lastly, that the Earl of Bristow did reveal to
 ‘ his late Majesty, both by word and letter, in what
 fort

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‘ lost the Duke had mis-demeaned himself, and abused his trust : and the King by severall waies sent him word he should rest assured *that he would hear the said Earl in due time* ; and that four daies before his sicknesse, he signified to the Earl, *that he would hear him against the Duke as well as he had heard the Duke against him*. And not long after the King died, having been much vexed and pressed with the said Duke.

Lord Spencer.

When the Earl had ended his Charge, up starts no upstart Lord, (the more the pity) and unbecoming his noble extraction, and ancient fame, *Is this all (said he) you have to say against the Duke ?* The Earl replied, *Yes my Lord, and I am sorry it is so much*. Then, quoth the Lord Spencer, *if this be all, Ridiculus Mus !* and so fate down again. Upon this a crotchet took the Lord Cromwell in the crown, and out he goes to Mr. Richard Spencer a younger son of the Lord, and a great zelot in the lower House against the Duke : Dick, said he, *what is done in your House to day against the Duke ?* My Lord (said he) *he is charged with no lesse then High Treason*. Tush Dick, quoth the Lord, *High Treason ! if this be all, Ridiculus Mus !*

The Commons impeachment against the Duke.

Shortly after, the Commons having digested their Impeachment against this great man into thirteen heads, on the eighth of the same moneth presented it to the Lords. This weighty cause was managed by six Gentlemen, Mr. Glanvel, Mr. Herbert, Mr. Selden, Mr. Pim, Mr. Wansford, Mr. Sherland, to whom was added Sir Dudley Diggs, as Foreman and Prolocutor, and Sir John Elliot to bring up the rear.

Sir Dudley Diggs his Prologue, for the extraordinary elegancy of the frame, and concinnesse of his metaphors, I shall crave leave to insert, as it was delivered to the Lords, before the Gentlemen of the house of Commons did present the thirteen grievances, expressly this.

My Lords,

‘ There are so many things of great importance
‘ to be said in very little time this day, that I conceive
‘ it will not be unacceptable to your Lordships, if
‘ (setting by all Rhetoricall affectations) I only in
‘ plain countrey language, humbly pray your Lord-
‘ ships favour to include many excuses, necessary to
‘ my

my manifold infirmities, in this one word, I am
COMMANDED by the *Knights, Citizens and Bar-*
ges of the *Commons* House, to present unto your
Lordships their most affectionate thanks for your
ready condescending to this conference, which out
of confidence in your great wisdoms, and appro-
ved Justice for the service of his Majesty, and the
welfare of this Realm they desired upon this oc-
casion.

The House of *Commons*, by a fatal and universal
concurrence of complaints from all the sea-borde-
ring parts of this Kingdome, did finde a great and
grievous interruption and stop of *Trade* and *Traf-*
fique. The base *Pirats* of *Sally* ignominiously
infesting our coasts, taking our ships and goods,
and leading away the subjects of this Kingdome
into barbarous captivity; while, to our shame,
and hinderance of commerce, our enemies did (as
it were) besiege our Ports, and block up our best
Rivers mouthes; our *Friends* on slight pretences
made embargoes of our Merchants goods, and eve-
ry nation upon the least occasion was ready to
contemn and slight us: So great was the apparent
diminution of the ancient honour of this Crown,
and once strong reputation of our Nation. Where-
with the *Commons* were more troubled, calling to
remembrance how, formerly in *France*, in *Spain*,
in *Holland*, and every where by sea and land, the
valours of this Kingdome had been better valued,
and even in later times within remembrance, when
we had no alliance with *France*, none in *Denmark*,
none in *Germany*: no Friend in *Italy*; *Scotland*, to
say no more, ununited; *Ireland* not settled in
peace, and much lesse security at home; when
Spain as was ambitious at it is now, under a King
(*Philip* the second) they call'd their wisest, the
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house of *Austria* as great and potent, and both strengthened with a malicious league in *France*, of persons ill-affected, when the Low-countreys had no being; yet by constant counsels and old *English* waies, even then that *Spanish* pride was cool'd, that greatnesse of the house of *Austria*, so formidable to us now, was well resisted, and to the united *Provinces* of the Low-countreys, such a beginning, growth, and strength was given, as gave us honour over all the Christian world. The Commons therefore wondring at the evils which they suffered, debating of the causes of them, found they were many, drawn like one Line to one Circumference of decay of *Trade*, and strength of Honour, and of Reputation in this Kingdome; which, as in one centre, met in one great man, the cause of all, whom I am here to name, the *Duke* of *Buckingham*.

Here Sir *Dudly Diggs* made a stand, as wondring to see the *Duke* present. Yet he took the *Roll*, and read the Preamble to the Charge, with the *Dukes* long Titles: and then went on.

My Lords,

This lofty Title of this mighty *Man*, me thinks, doth raise my spirits to speak with a *Paulo majora canamus*; and let it not displease your *Lordships*, if, for foundation, I compare the beautiful structure and fair composition of this *Monarchy*, wherein we live, to the great work of God, the World it self; in which the solid body of incorporated Earth and Sea, as I conceive, in regard of our husbandry, manufactures and commerce by Land and Sea, may well resemble us the *Commons*. And, as it is encompassed with *Air*, and *Fire*, and *Spheres* celestial, of *Planets*, and a *Firmament* of fixed *Starrs*; all which receive their heat, light, and life from one great glorious Sun, even like the King our Sovereign: So that *Firmament* of fixed Stars I take to
be

be your *Lordships*; Those *Planets*, the great *Officers* of the *Kingdome*; That pure element of *Fire*, the most religious, zealous, and pious *Clergy*; And the reverend *Judges*, *Magistrates*, and *Ministers* of Law, and Justice, the Air wherein we breath, All which encompasse round with cherishing comfort this Body of the Commons, who truly labour for them all, and though they be the footstool and the lowest, yet may well be said to be the settled centre of the State.

Now (my good *Lords*) if that glorious *Sun* by his powerfull beams of grace and favour shall draw from the bowels of this Earth, an *Exhalation* that shall take fire, and burn and shine out like a *Star*, it needs not be marvelled at, if the poor *Commons* gaze and wonder at the *Comet*, and when they feel the effects, impute all to the corruptible matter of it. But if such an imperfect mixture appear, like that in the last age, in the Chair of *Cassiopea* among the fixed *Starres* themselves, where *Aristotle*, and the old *Philosophers* conceived there was no place for such corruption; then, as the learned *Mathematicians* were troubled to observe the irregular motions, the prodigious *magnitude*, and the ominous *Prognosticks* of that *Meteor*: so the Commons when they see such a *Blazing-star* in course so exorbitant, in the affairs of this Common-wealth, cannot but look up upon it, and for want of *Perspectives* commend the nearer examination to your *Lordships*, who may behold it at a better distance. Such a prodigious *Comet* the Commons take this *Duke* of *Buckingham* to be, against whom and his irregular waies there are by learned Gentlemen; legall *Articles* of *Charge* to be delivered to your *Lordships*, which I am generally first commanded to lay open.

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‘ First, the *Offices* of this Kingdome, that are the
‘ eyes, the eares, and the hands of this Common-
‘ wealth, these have been engrossed, bought and
‘ sold, and *many* of the greatest of them, holden even
‘ in this *Dukes* own hands, which *severally* gave in
‘ former ages sufficient content to greatest *Favou-*
‘ *rites*, and were work enough for the wisest Coun-
‘ sellors: by means whereof, what strange abuses,
‘ what infinite neglects have followed? The *Seas*
‘ have been *unguarded*, *Trade* disturbed, *Merchants*
‘ oppressed, their *Ships*, and even one of the Royal-
‘ Navie, by cunning practise delivered over into fo-
‘ rain hands, and contrary to our good *Kings* inten-
‘ tion imployed to the prejudice (almost to the
‘ ruine) of friends of our own *Religion*.

‘ Next, *Honors* (those most precious jewels of the
‘ *Crown*) a treasure inestimable, wherewith your
‘ noble Ancestors (my *Lords*) were well rewarded
‘ for eminent and publique service in the Common-
‘ wealth at home, for brave exploits abroad; when
‘ covered all with dust and bloud, they sweat in ser-
‘ vice for the honour of this *Crown*. What Back-
‘ waies, what By-waies have been by this *Duke* found
‘ out, is too well known to your *Lordships*; whereas
‘ anciently it was the honour of *England*, (as among
‘ the *Romans*) the way to the Temple of *Honor* was
‘ through the Temple of *Virtue*. But I am comman-
‘ ded to presse this no further then to let your
‘ *Lordships* know, one instance may perhaps be
‘ given of some one *Lord* compelled to purchase
‘ *Honor*.

‘ Thirdly, as divers of the *Duke’s* poor kindred
‘ have been raised to great *Honors*, which have been
‘ and are likely to be more chargeable and burthen-
‘ some to the *Crown*; so the Lands and Revenues, and
‘ the Treasuries of his *Majesty* have been intercepted
‘ and

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and exhausted by this *Duke* and his friends, and
 strangely mis-employed with strange confusion of
 the Accompts, and overthrow of the well esta-
 blished ancient orders of his *Majesties* Exche-
 quer.

The last of the *Charges* which are prepared, will
 be an injury offered to the person of the late
King of blessed memory, who is with God;
 of which (as your *Lordships* may have heard here-
 tofore) you shal anon have farther information.
 Now upon this occasion, I am commanded by the
Commons to take care of the *Honor* of the *King* our
 Sovereign that lives, (long may he live to our
 comfort, and the good of the Christian world)
 and also of his blessed Father, who is dead; on
 whom to the grief of the *Commons*, and their great
 distast, the Lord *Duke* did, they conceive, unwor-
 thily cast some ill ordure of his own foul waies.
 Whereas *servants* vvere anciently wont to bear (as
 in truth they ought) their *Masters* faults, and not
 cast their own on *them* undeservedly. It is well
 known the *King*, who is with God, had the same
 power, and the same wisdom before he knew this
Duke, yea and the same affections too, through
 which (as a good and gracious *Master*) he advanced
 and raised some stars of your *Lordships* Firmament,
 in whose hands this exorbitancy of will, this tran-
 scendency of power, such placing and displacing of
 Officers, such irregular running into all by-courses
 of the Planets, such sole and single managing of the
 great affairs of State, was never heard of. And
 therefore only to the Lord *Duke* and his procure-
 ment by mis-informations these faults complained
 of by the *Commons* are to be imputed. And for
 our most gracious Sovereign that lives, whose name
 hath been uled, and may perhaps now be, for the
Dukes

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Dukes justification. The *Commons* know well, that among his *Majesties* most royall vertues, his piety unto his *Father* hath made him a pious nourisher of his affections ever to this Lord *Duke*, on whom, out of that consideration, his *Majesty* hath wrought a kinde of wonder, making *Favour* hereditary. But the abuse thereof must be the Lord *Dukes* own. And if there have been any Commands, such as were or may be pretended, his mis-informations have procured them; vvh whereas the Lawes of *England* teach us, that *Kings* cannot command ill or unlawful things when ever they speak, though by their *Letters Patents* or their *Seals*; if the thing be evill, these *Letters Patents* are void, and whatsoever ill event succeeds, the executioners of such commands must ever answer for them.

Thus my *Lords*, in performance of my duty, my weaknesse hath been troublesome unto your *Lordships*. It is novv high time humbly to intreat your pardon, and give vway to a learned *Gentleman* to begin a more particular Charge.

Sir *Dudly Diggs* having ended his Prologue, the *Impeachment* it self of the *Commons* was read, summarily as followeth.

*The Commons Impeachment and Declaration
against the Duke of Buckingham.*

FOR the speedy redresse of the great evils and mischiefs, and of the chief causes of those evils and mischiefs, vvhich this Kingdom of *England* novv grievously suffereth, and of late years hath suffered, and to the honour and safety of our Sovereign Lord the King, and of his *Crown* and dignities, and to the good and vvhelfare of his people; the *Commons* in this present *Parliament*, by the authority of our said Sovereign Lord the King assembled,
do

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do by this their Bill shevv, and declare against
George, Duke, Marquesse, and Earl of Buckingham,
Earl of Coventry, Viscount Villers, Baron of Whad-
don; great Admirall of the Kingdomes of England
and Ireland, and of the principality of Wales, and
of the Dominions and Ilands of the same, of the town
of Calais, and of the Marches of the same, and of
Normandy, Gascoigne, and Guyen; Generall Gover-
nor of the Seas and Ships of the said Kingdomes;
Lieutenant General, Admiral, Captain General and
Governor of his Majesties Royal Fleet and Army,
lately set forth; Master of the Horses of our Sove-
raign Lord the King; Lord Warden, Chancellor and
Admiral of the Cinque-ports, and of the Members
thereof; Constable of Dover Castle; Justice in Eyre
of all Forrests and Chaces on this side of the River
of Trent; Constable of the Castle of Windsor; Lieu-
tenant of Middlesex and Buckingham-shire; Steward
and Bailiffe of Westminster; Gentleman of his Maje-
sties Bed-chamber, and one of his Majesties hono-
rable Privie Councel in his Realms both of England
Scotland, and Ireland, and Knight of the most noble
order of the Garter.

The misdemeanors, misprisions, offences, crimes,
and other matters comprised in the Articles hereaf-
ter following: And him the said Duke do accuse,
impeach of the said misdemeanors, misprisions, of-
fences, and crimes.

First, That he the said Duke, being young and
unexperienced, hath of late years with exorbitant
ambition, and for his own advantage procured and
engrossed into his own hands, severall great Offi-
ces both to the danger of the State, and prejudice
of that service which would have been performed
in them, and to the discouragement of others, who
are thereby precluded from such hopes as their
virtues,

The Articles.
1. His engros-
sing great
Offices.

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By buying
the place of
Admiralty.

And Lord
Warden of the
Cinque Ports:

Not guarding
the Seas.

virtues, abilities, and publique employments might otherwise have obtained.

2. That in the sixteenth year of the reign of the late *King*, he did give and pay to the then *Earl of Nottingham*, for the Office of Great Admirall of *England* and *Ireland*, and of the Principality of *Wales*, and General Governor of the Seas, and Ships of the said Kingdomes, and for the surrendor of the said Offices, to the intent the said *Duke* might obtain them to his own use, the sum of three thousand pounds, and did also procure for the said surrendor from the late *King*, an annuity of One thousand pounds *per annum*, payable to the said *Earl*, for which considerations the said *Earl* surrendred the said Office with his Letters Patents, unto the late *King*, who granted them to the said *Duke* for his life: which is an Offence contrary to the lawes and statutes of this Realm, those Offices so highly concerning the administration and execution of Justice.

3. That he the said *Duke*, in the 22. year of the late *King*, did give and pay unto *Edward Lord Zouch*, for the Offices of Lord Warden of the *Cinque Ports* and of Constable of *Dover* Castle, the sum of One thousand pounds, and granted also an annuity of five hundred pounds *per annum* during his life, and that for the consideration aforesaid, the said Lord *Zouch* did surrender his Offices and Letters Patents, to the late *King*, who granted them to the said *Duke* for his life: which Offices (so highly concerning the administration of Justice) the *Duke* hath ever since held against the Lawes of the land.

4. That he hath neglected the just execution of those his Offices, and violated the trust reposed in, and committed to him by them; in so much, as through

through his neglect the trade of this Kingdome hath been of late much decayed, and the seas ignominiously infested with Pirats and enemies, to the great losse of both Ships and goods, and imminent danger of this Kingdome.

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That, whereas about *Michaelmas* last, a Ship called the *St. Peter* of *New Haven*, laden with divers Merchandizes, Jewels, and commodities to the value of Forty thousand pounds, or thereabout, for the proper account of *Monsieur de Villowes* then Governor of *New-haven*, was taken by the Ships of his Majesties late Fleet, and brought into the Port of *Plymouth*, as a prize, upon probability that the said Ship or Goods belonged to the subjects of the King of *Spain*; whereupon there was an arrest of two *English* Ships at *New-haven* in the Kingdome of *France*: after which, intimation was given to the Advocate in the chief Court of Admiralty from his Majesty by secretary *Coke*, for the freeing and discharge of the said ship, and goods, and thereupon by Commission under seal the said ship and goods were released. The said *Duke* notwithstanding any such Order, and Decree, detained still to his own use, the Gold, Silver, Pearl, Jewels, and other commodities so taken out of the said ship, and unjustly caused the said ship to be arrested again, in contempt of the lawes of this land, and to the prejudice of Trade.

Stay of the
S. Peter of
New-Haven.

6. That the *East-India* Merchants in the 21 of the late Kings reign, preparing to set forth Four great ships richly laden in their usuall course of Trade, the *Duke* moved the *Lords* then assembled in Parliament to know whether he should make stay of those ships for the service of the State; which motion being approved by the *Lords*, the *Duke* accordingly did stay those ships; and after

And of the
East-India
Fleec.

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Lending of
the *Vant-guard*
to the French;

To be employ-
ed against Ro-
chel.

‘ procured a joynt Action to be entred in the Court
‘ of Admiralty in the name of the late *King*, and
‘ himself, as Lord Admirall, against Fifteen thou-
‘ sand pounds pretended to be Piratically taken by
‘ some Captains of the said Merchants ships, and in
‘ the hands of the said Captains : and accordingly,
‘ an Attachment was served upon the said Mer-
‘ chants. Whereupon the said Merchants being urged
‘ to bring in the Fifteen thousand pounds, or to go
‘ to prison, made now suit to the *Duke* for the releate
‘ of their ships; who pretending that the Parlia-
‘ ment must be moved therein, the Merchants much
‘ perplexed, and considering that they should lose
‘ much by unlading their ships, and the losse of their
‘ voyage; resolved to tender to the *Duke* Ten thou-
‘ sand pounds for his unjust demand, who by co-
‘ lour of his office extorted and exacted from them
‘ the said Ten thousand pounds; and upon receipt
‘ thereof, and not before, released the said ships,

‘ 7. That the *Duke*, being Great Admiral of *Eng-*
‘ land, did by colour of the said Office procure one
‘ of the principal ships of the Navie-Royal, called
‘ the *Vant-guard*, and six other Merchants ships of
‘ great burthen, to be conveyed over with all their
‘ Ordnance, Ammunition, and Apparel, into the King-
‘ dome of *France*; and did compell the said Masters
‘ and Owners of the said ships, to deliver the said
‘ ships into the possession and command of the *French*
‘ King, and his Ministers, without either sufficient
‘ security for their re-delivery, or necessary caution
‘ in that behalf, contrary to the duty of his Office,
‘ and to the apparent weakning of the Naval strength
‘ of this Kingdom.

‘ 8. That the *Duke*, knowing the said ships were
‘ intended to be employed against the *Rochellers* and
‘ the *Protestants* elsewhere, did compel them as afore-
‘ said

‘ said to be delivered unto the said *French King* and
 ‘ his Ministers, to the end that they might be employ-
 ‘ ed against those of the reformed Religion, as accor-
 ‘ dingly they were; to the prejudice of the said
 ‘ Religion, contrary to the intention of our Sove-
 ‘ reign Lord the *King*, and to his former promise at
 ‘ Oxford; and to the great scandal of our Na-
 ‘ tion.

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9. That he hath enforced some who were rich
 ‘ (though unwilling) to purchase honours: as the
 ‘ Lord *Roberts*, Baron of *Truro*, who was by menaces
 ‘ wrought to pay the sum of Ten thousand pounds
 ‘ to the said *Duke*, and to his use for his said *Barony*.

Selling of Ho-
 nours:

‘ 10. That in the 18 year of the late *King*, he
 ‘ did procure of the late *King* the Office of
 ‘ High Treasurer of *England* to the Vicount *Mande-
 ‘ wil*, now *Earl of Manchester*, for which Office he
 ‘ received of the said Vicount, to his own use, the
 ‘ sum of Twenty thousand pounds of money, and also
 ‘ did procure in the 20 year of the late *King*, the
 ‘ Office of Master of the Wards and Liveries for
 ‘ Sir *Lionel Cranfeild*, afterward *Earl of Middlesex*,
 ‘ and as a reward for the said procurement, he had
 ‘ to his own use, of the said Sir *Lionel Cranfeild*, the
 ‘ sum of Six thousand pounds, contrary to the dig-
 ‘ nity of his late Majesty.

And Offices.

‘ 11. That he hath procured divers honors for
 ‘ his Kindred and allies, to the prejudice of the an-
 ‘ cient Nobility, and disabling the Crown from rewar-
 ‘ ding extraordinary virtues in future times.

Procuring Ho-
 nours for his
 Kindred.

‘ 12. That he procured and obtained of the late
 ‘ *King* divers Manors, parcels of the Revenues of
 ‘ the Crown, to an exceeding great value, and hath
 ‘ received, and to his own use disbursed great sums
 ‘ of money, that did properly belong unto the

Diminishing
 the Revenues
 of the Crown.

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His applying
Physick to
King James.

late *King* : and the better to colour his doings, hath obtained severall privie Seals from his late *Majesty*, and his *Majesty* that now is, warranting the payment of great sums of money by him, as if such sums were directed for secret service of the State, when as they were disposed of to his own use ; and hath gotten into his hands, great sums which were intended by the late *King* for the furnishing and victualling of the Navie-Royall, to the exceeding diminution of the Revenues of the Crown, to the deceiving and abusing of his late and now *Majesty*, and detriment of the hole Kingdome;

13. Lastly, that he being a sworn servant of the late *King*, did cause and provide certain plaisters and potions for his late *Majesty* in his last sickness, without the privy of his *Majesties* Physicians; and that although those plaisters and potions formerly applyed produced such ill effects, as many of his sworn Physitians did disallow as prejudiciall to his *Majesties* health, yet neverthelesse did the *Duke* apply them again to his *Majesty* ; whereupon great distempers and dangerous symptoms appeared in him, which the Physitians imputed to those administrations of the *Duke*, whereof his late *Majesty* also complained : which was an offence and misdemeanor of so high a nature, as may be called an act of transcendent presumption. And the said Commons by protestation, saving to themselves the liberties of exhibiting hereafter any other accusation or impeachment against the *Duke*, and also of replying unto what the *Duke* shall answer unto the said Article, Do pray that the said *Duke* may be put to answer all and every the premises, and that such proceedings, examinations, tryals, and judgments, may be upon every of them had, as is agreeable to law and justice.

The

The *Commons* having presented this Accusation, presently after sent a message to the *Lords*, desiring that the *Duke* might be committed, declaring that it did mis-beseem their House to permit a man so deeply impeacht to sit in Councell with them: And at that very time, Sir *Dudly Diggs* and Sir *John Eliot* were sent for out of the *House*, by two messengers of the Chamber, who upon their coming forth, shew'd them warrants for their Commitment to the *Tower*; but it was resolved by the Judges, that by their restraint, (no reason being given to the House for it) the hole house was arrested, and Remonstrance was made to the *King* of their priviledge, whereupon they were released.

The *Commons* having sped so well, the *House* of Peers began to claim their immunity, making an order that nothing should be transacted in their House, untill the *Earl* of *Arundel* were restored: upon which instantly ensued the Earls postlimination and readmittance.

Popular disgust began now to break in upon the *Duke* with such a running and sweeping tide, as drew along with it by way of concomitancy the Peerage; nor could his new dependents and Allies keep the Ballance horizontal and even, much lesse sway it; and because his fate must result from them, and not by weight, but tale, the old trick of the Council of *Trent* was thought upon, and a new summons of persons, firm confidents of the *Duke* (as the *Lords Mandevil, Grandison, and Carlton*) into the row of Nobles. But this project would not take, for the House of *Lords* found an ancient Order, That no *Lords* created *sedente Parlamento*, shall have voices during that Session, but only shall have priviledge of sitting among the rest: upon which their suffrage was excluded. This gave the *Duke* a taste (a bitter one) of their inclinations, so that finding small favour to trust to, he magnanimously, some thought impudently, stood upon his Justification. And as the ill opinion of his Peers deprest him, so their affection to the *Earl* of *Bristow* elevated him: who received the Attorneys charge with such an undaunted spirit, and returned so home an answer, as the *House* was amply satisfied with it. On the other side, the *Duke* was as intent upon his Defence, and having moulded it to his contentment, upon the 8. of *June* presented it to the *Lords*, who upon receipt thereof, sequestred him from sitting any more as a Peer of the *House*, untill his cause was determined; upon which he went away much dejected. The substance of his answer was as followeth.

‘ 1. To the charge concerning his plurality of Offices, he answereth, That his late *Majesty* did of his own Royal motion bestow them upon him, and
‘ he

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Sir *Dudly Diggs*
and Sir *John Eliot* committed to the
Tower.

The *Earl* of
Arundel discharged of his
imprisonment.

The *Duke* sequestred from
the House of
Lords.

The *Duke's*
Answer.

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he hopeth and conceiveth he may without blame receive, what his bountifull Master conferred upon him, if the Common-wealth doth not suffer thereby. Nor is it without precedents, that men eminent in the esteem of their Sovereign, have held as great and many offices as himself. But if it shall be proved that he falsly, or corruptly hath executed those Offices, he is, and will be ready to resign them with his life and fortunes to his *Majesties* dispose.

2. To the second, he answereth, That the *Earl* of *Nottingham* then Lord Admiral, being grown much in years, and finding himself not so fit nor able to perform what appertained to his place, as formerly; became an earnest sutor to his late *Majesty* to permit him to surrender up his Office, who at length being overcome by the *Earls* many solicitations condescended thereunto; and his late *Majesty* at the entreaty of others, without the *Dukes* privy, was also perswaded to confer it upon the *Duke*, much against his will, he being no way experienced in those affairs: so that the *Earl* did freely surrender, and the *Duke* accept the grant of the said Office, without any the least contract or proviso. But true it is, that his late *Majesty* out of his Royal bounty did grant to the said *Earl* a Pension of One thousand pounds *per annum*, as a recompence for his former service to the Crown; and also the *Duke* himself did freely and voluntarily with his late *Majesties* approbation, as an argument of his honourable respects to so Noble a Predecessor, send the *Earl* Three thousand pounds, which he hopeth is not blame-worthy in him.

3. To the third, he answereth, That the Lord *Zouch* being grown in years, and unfit to manage the Office of the Warden of the *Cinque-Ports* and Constable of *Dover* Castle, which are indeed both
but

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but one, discovered a willingnesse to surrender it, and made severall offers thereof to the Duke of Richmond, who at last contracted with the said Lord Zouch for his surrender, for the consideration of One thousand pound in money, and Five hundred pounds *per annum*; and the said Duke of Richmond being prevented by death, his late Majesty directed the Duke of Buckingham to go through with the Lord Zouch for it, upon the same termes; which he was the willinger to do, by reason he had found by experience, that the King's service suffered much through the emulation, disaffection, and contention arising between those two Officers; and he hopeth this act of his in acquiring this Office, accompanied with such circumstances, the King also being both privie and directing it, will receive a favourable construction, especially considering he was altogether unacquainted with any law to the contrary.

4. To the fourth, he answereth, That the losse happening to the Kings subjects by Pirats and enemies hath not proceeded through the Dukes default, as is suggested, but becaule those Pirats ships are built of a mould as fit for flight as fight; being far too nimble for the Kings Ships. To prevent which inconvenience, for the time to come, there is present order taken for the building of Ships of the same shape with those of Dunkirk, and for the Pirats of Sally; that provision is taken either to restrain by treaty, or to repress them by force, as will give good satisfaction; and this will clearly appear upon proof.

5. To the fifth, he answereth, That complaint being made on the behalf of some French men at the Councel Table concerning the St. Peter and some other Ships; His Majesty then present did order

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order that she and all other should be released as were found to belong to any Prince or State in amity with him; provided they were not fraudulently coloured. And accordingly this Ship was by sentence in the Admiralty discharged. But within few daies after new information came to the Lord Admiral, that this Ship was laden by the subjects of the King of *Spain* in *Spain*, that the *Amirantesio* waisted her beyond the North *Cape*, and that witnesses were ready to attest as much: upon which the *Duke* acquainted his Majesty therewith, and by his command made stay of this Ship, as he was assured (by the opinion of the *King* and five other advocates) he might do, and command was given to the *Kings* Advocate to hasten the examination of witnesses, in pursuance of the new information. But the *French* Merchants impatient of delaies which the producing many witnesses would occasion, complained again to the Councel-board, and obtained an order from thence for the delivery of the said Ship and goods, upon security; which security was once offered, but after retracted; yet upon consideration of the testimonies produced the *Kings* Advocate informing the *Duke* that the proof came short for that Ship, the *Duke* did instantly give order for her finall discharge, and that all her goods should be re-imbarqued to the Owners; which was done accordingly.

6. To the sixth, he answereth, That the motion in *Parliament* about the stay of the *East-India* Ships was only upon apprehension that they might be serviceable for the defence of the Realm. That the action entred in the Court of Admiralty against the *East-India* Company, was not after, (as is suggested) but divers moneths before that motion in *Parliament*, yea, before the *Parliament* began. That the

the composition (mentioned in this *Article*) was not moved by the *Duke*, but made by the late *King*, and that the Company without any menaces or compulsion agreed to the composition, as willing to give so much, rather than to abide the hazard of the suit. That of the said sum, all but Two hundred pounds, was employed by his late *Majesties* officers for the benefit of the *Navie*; and lastly, that those Ships were not discharged upon payment of the said sum of Ten thousand pounds, but upon an accommodation allowed that they should prepare other ships for his *Majesties* service, whilst they went on their voyage; which accordingly they did.

7. To the seventh, he answereth, That those Ships were lent to the *French King* without his privy; that when he knew thereof, he did what appertained to his office. That he did not by menace, or any undue practise by himself, or any other, deliver those Ships into the hands of the *French*: that what error hath since happened, was not in the intention any way injurious to the State, nor prejudicial to the interest of any private man.

8. To the eighth, he answereth, That understanding a discovery that those Ships should be employed against *Rochel*, he endeavoured to divert the course of such employment: and whereas it is alledged that he promised at *Oxford*, that those Ships should not be so employed, he under favour saith, he was misunderstood, for he only said, that the event would shew it, being confident in the promises of the *French King*, and that he would have really performed what was agreed upon.

9. To the ninth, he answereth, denying any such compulsion of the *Lord Roberts* to buy his honor, and that he can prove, that as the said Lord did

H

then

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‘ then obtain it by the solicitation of others, so was
‘ he willing formerly to have given a great sum
‘ for it,

‘ 10. To the tenth, he answereth, That he had
‘ not, nor did receive any penny of the said sums to
‘ his own use, that the Lord *Mandevil* was made
‘ Lord *Treasurer* by his late *Majesty* without any con-
‘ tract for it, and though his *Majesty* did after bor-
‘ row of the said Lord Twenty thousand pounds, yet
‘ was it upon proviso of repayment, for which the
‘ *Duke* at first past his word, and after entred him se-
‘ curity by land, which stood engaged untill his late
‘ *Majesty* during the *Dukes* being in *Spain*, gave the
‘ Lord satisfaction by land in Fee-farm of a consi-
‘ derable value; whereupon the *Dukes* security was
‘ returned back. And that the Six thousand pounds
‘ [disbursed by the *Earl of Middlesex*, was bestowed
‘ upon Sir *Henry Mildmay* by his late *Majesty* (with-
‘ out the *Dukes* privity) who had and enjoyed it all
‘ entire.

‘ 11. To the eleventh, he answereth, That he be-
‘ leeveth he were rather worthily to be condem-
‘ ned in the opinion of all generous mindes, if be-
‘ ing in such favour with his *Majesty*, he had minded
‘ only his own advancement, and had neglected
‘ those whom the law of nature had obliged him to
‘ hold most dear.

‘ 12. To the twelfth, he answereth, That he doth
‘ humbly, and with all thankfulnesse, acknowledge
‘ his late *Majesties* bountiful hand to him, and shall
‘ be ready to render back into the hands of his now
‘ *Majesty* whatsoever he hath received, together with
‘ his life, to do him service: But for the value sug-
‘ gested in the charge, he saith there is a great mis-
‘ take in the calculation, as he shall make evident in
‘ a Schedule annexed, to which he referreth him-
‘ self.

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‘ self. Nor did he obtain the same by any undue solli-
‘ citation or practise, nor yet a release for any sums so
‘ received. But having several times, and upon several
‘ occasions disposed divers sums of his late and now
‘ Majesty, by their private directions, he hath releases
‘ thereof for his discharge, which was honorable in
‘ them to grant, and not unfit for him to desire and
‘ accept for his future indemnity.

‘ 13. To the last he answereth, That his late Ma-
‘ jesty being sick of an Ague, a disease out of which
‘ the Duke recovered not long before, asked the Duke
‘ what he found most advantageous to his health;
‘ the Duke reply’d a Plaister and Posset-drink admi-
‘ nistred to him by the Earl of Warwick’s Physician;
‘ whereupon the King much desired the Plaister and
‘ Posset-drink to be sent for. And the Duke delay-
‘ ing it, he commanded a servant of the Dukes to go
‘ for it against the Dukes earnest request, he humbly
‘ craving his Majesty not to make use of it without
‘ the advice of his own Physicians, and experiment
‘ upon others; which the King said he would do, and
‘ in confidence thereof, the Duke left him, and went
‘ to London. And in the mean time, he being ab-
‘ sent the said Plaister and Posset-drink were brought,
‘ and at the Dukes return, his Majesty commanded
‘ the Duke to give him the Posset-drink; which he
‘ did, the Physicians then present not seeming to
‘ mislike it. Afterward the Kings health declining,
‘ and the Duke hearing a rumour as if his Physick had
‘ done his Majesty hurt, and that he had admini-
‘ stred physick without advice, the Duke acquaint-
‘ ed the King therewith, who in much discontent
‘ replyed, *They are worse then Devils that say so.*

‘ This being the plain, clear, and evident truth of
‘ all those things which are contained in that Charge,
‘ He humbly referreth it to the judgements of your

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Lordships, how full of danger and prejudice it is, to give too ready an ear, and too easie a belief unto a Report or Testimony without Oath, which are not of weight enough to condemne any.

Also he humbly acknowledgeth, how easie it was for him in his young years and unexperienced, to fall into thousands of errors in those ten years, wherein he had the honour to serve so great and so open an hearted a Sovereign Master.

But the fear of Almighty God, his sincerity in the true Religion established in the Church of England, (though accompany'd with many weaknesses and imperfections, which he is not ashamed humbly and heartily to confesse) his awfulnessse not willing to offend so good and gracious a Master, and his love and duty to his Countrey, have restrained and preserved him (he hopeth) from running into any heinous misdemeanours and crimes.

But whatsoever upon examination and mature deliberation, they shall appear to be, least in any thing unwittingly, within the compasse of so many years, he shall have offended,

He humbly prayeth your *Lordships*, not only in those, but to all the said misdemeanours, misprisions, offences and crimes wherewith he standeth charged before your *Lordships*, to allow unto him the benefit of the free and general Pardon granted by his late Majesty in Parliament in the one and twentieth year of his Reign, out of which he is not excepted. And also of the gracious Pardon of his now Majesty granted to the said Duke, and vouchsafed in like manner to all his Subjects at the time of his most happy Inauguration and Coronation; which said Pardon under the Great Seal of England, and granted to the said Duke, beareth date the tenth day of February now last past, and so here shewed forth unto your

your *Lordsships* on which he doth humbly relie.

And yet he hopeth, that your *Lordsships* in your Justice and Honour (upon which confidence he putteth himself) will acquit him of, and from those misdemeanours, offences, misprisions and crimes wherewith he hath been charged.

And he hopeth, and will daily pray that for the future, he shall by Gods grace so watch all his actions, both publick and private, that he shall not give any just offence to any.

This answer of the *Duke* to his impeachment, was a kind of new grievance to his Adversaries; for it being contrived, and so inlay'd with modesty and humility, it was like to have a powerfull influence towards the conversion of many who expected a defence of another and more disdainfull spirit. Again it seemed to state him in impunity, and the Commons having charged him, as they thought, through and through, loath they were to fall short of victory; and having pursued him with such vehemency, thought themselves worsted, should he now at last make a saving game of it, therefore resolved they were to ply him with a speedy reply: but while they were hammering of it, the *King* sent them a Letter, demanding without further delay the speedy producing their Bill of Subsidy to be passed; to which, to prevent their dissolution, they conformed. But first they had drawn up a *Declaration*, of the same make and mind with their former impeachment, of the miserable state of this Kingdome, and not without some high contest, it was allowed by the House before the Bill of Subsidy. Whereupon his Majesty was so exceedingly incensed, as on the very next day being *June* the fiftenth he dissolved the Assembly, though the *Lords* sent four of their House unto him, beseeching him earnestly he would permit them to sit but two dayes longer, but he answered, *Not a minute.*

The Parliament dissolved.

The same afternoon the Earl of *Bristow*, the *Dukes* grand persecutor, was committed to the Tower, and the Earl of *Arundel* confined to his own house. There came also forth from his Majesty a Proclamation for burning of all Copies of the Commons Declaration made before the Parliaments dissolution.

Arundel and *Bristow* confined.

This Rupture of the Parliament being supposed to issue from the Kings great affection to the *Duke*, I finde him charged with Deep imprudence and high over-sight to hazard the

The King charged with imprudence.

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The Charge
Answered.

the love of millions for him only. Loth I am to leave him as I finde him, and hope this suggested imprudence will either totally disappear, or seem much lesse, if we well weigh those high obligations all Princes have, and what he had more then many others, to uphold their Favou-rites. It is, and ever was the perpetuall lot of those who are of choicest admission into Princes favours, to feel as strong reverberations of envie and ill will from beneath, as they do irradiations of grace and favour from above; whereby they suffer a kind of persecution, it being the main businesse of those who maligne them, to be narrow inquisitors into all their actions, ready to aggravate the worst, and to traduce the best; nor scape they so, but over and besides their proper failings, they usually bear the blame and odium of their Masters faults; upon which Consideration Princes are in some sort tyed in equity to support them, thereby to compensate and make them some amends for what despight they endure upon the skore of their affection to them. Again, should a *King* desert and abandon a servant of such choice esteem upon every slight suggestion, what can he expect but a generall tergiversation, a backsliding of affection and fidelity from him, and an utter declining of his service ever after? These are motives of generall concernment, over and besides which *King Charles* had others of more peculiar relation. He did not discern any thing in the accriminations of so horrid import as might blemish his owning him. His accumulated Offices and Honours, he reputed so far from an offence, as he could scarce think them an errour, and he believed hardly one of a million would have declined, or resisted the temptation of those Royal tenders, had they been in the Dukes case. And for his study to advance his near relations, he might most worthily have been counted a Monster, and an extravagancy in Nature, had he cast off all regard of those to whom he was by consanguinity so near annexed. Lastly, his Majesty took notice, that in all those thirteen Articles of Impeachment, there was not any thing of value, but what was acted and happened in the Reign of his late Father, and consequently not legally cogniscible in his time; nor did he think it sorted with his honour to admit an accusation against a person so dear both to his Father of blessed memory, and him self, after so many years elapsed, especially considering that since the time of his pretended delinquency, he was honoured by many of his now accusers with the acclamation of the *Preserver of his Countrey*, and that in open Parliament; so odd a turn of passion is there in the minds of men. These were the inducements which fixt the King so much in the Dukes protection, which are here delivered

out

The Reign of King Charles.

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out of a desire to expunge that blemish of *imprudence* thrown upon his *Majesty*, not as a concession of his dissolving the Parliament upon the account of that *Protection* only; for the *King* had other provocations which stimulated him also to it. Those *Queries* of *Dr. Turner*, and that expression of *Mr. Coke*, the *King* resented as insolent, and so represented them to the Parliament; very hot they were of the spice, and had more pepper than salt in them. In subconsulary *Rome*, *Athens* or *Sparta* they might have been tolerated, but in a state founded upon the administration of Monarchy, those small strictures and sparks of animosity, had fire enough in them to kindle and inflame the anger of a mild Prince: for nothing irritateth and causeth the wrath of Kings more then disrespect, as nothing gives them splendor and brightness but Authority, whereof if Sovereignty be once dismantled, once stript, she is soon trampled upon, scorned and contemned: And though those speeches did not take their aime directly at his Majesty, yet did they by glance and obliquely deeply wound him. They that make Princes minions the But or mark of their accusations, had need have a very steady hand, for it is very difficult to asperse persons so near the Throne, but some drops will sprinkle upon Majesty it self. Nor had those disordered heats power enough of themselves to operate so sad an effect, had they not been seconded by a Declaration of the hole House of the same meal and leaven'd with language of equal disgust to the King.

On the *Munday* before this dolefull dyaster, there happened a terrible and prodigious spectacle upon the *Thames*. The water near *Lambeth-Marsh* began about three of the clock in the afternoon to be very turbulent, and after a while rising like a mist it appeared in a circular form of about ten yards diameter, and about ten foot elevated from the River. This Catarract or spout of waters was carried impetuously crosse the River, and made a very furious assault upon the Garden wales of *Tork-house* (where the *Duke* was then building his new water stairs) at length, after a fierce attempt, it brake asunder, sending up a fuliginous and dusky smoak, like that issuing out of a *Brewers chimney*, which ascended as high, as was well discernible, and so vanisht. And at that very instant there was in the *City of London*, so dreadfull a storm of rain and hail, with thunder and lightening, as a great part of the Churchyard wals of *St. Andrews Church* in *Holborne*, fell down, and divers graves being thereby discovered many coffins tumbled into the middle of the channel.

It will not be amisse now to crosse the seas, and to take a view of our *Kings* affaires, which began to be sullen, of an uniforme and not much differing complexion from those at home, many indications and overtures of discontent emerging between

A strange
spectacle upon
the Thames.

Difference
between Eng-
land and
France.

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Seven English
ships lent to
the French.

between himself and his chief confederate and Brother *Lewis* of *France*, whereby the former amity notwithstanding many Lennitives apply'd was enforced at length to yeeld to direct hostility. In the provocation, *Lewis* was the first, *Charles* in the quarrel. The leading occasion, this.

During the late Treaty of marriage between *England* and *France*, *Lewes* pretending a martiall design against *Italy* and the *Valtoline*, entreated and obtained of King *James* the loan of the *Vanguard*, a parcel of the *Navie-Royal*, and (with the owners consent) of six Merchants ships more. But it being rumour'd that *Lewes* intended these ships against *Rochel*, then revolted from him, King *James* (who resolved to preserve himself neuter in that business, liking the *Rochellers* Religion too well to offend them, and their cause too ill to protect them) put in expresse caution that those ships should not be employed against the *Rochellers*. But before their ships put forth to sea (soon after King *James* died) *Lewes* and the *Rochellers* (at the instance of King *Charles* by his two Ambassadors, the Earl of *Holland* and Sir *Dudly Carlton*) came to an accord. This pacification gave *Lewes* advantage of enterprising upon the *Valtoline* with greater, both power and expedition, and invited *Charles* to dispatch the English ships for *France*: but no sooner arrived they at their Port, then that nest of wasps at *Rochel* began to infest King *Lewes* again, for *Sabize* following his old trade, took the opportunity of the advance of the *French Army* for *Italy*, and a l' improviste, before they were aware, surpris'd the Isle of *Rhe*, then incuriously guarded (so in-secure did overmuch security make them) seized many ships in the harbour, and bad fair for the taking of *Fort-Lewes*, had not the *Duke of Vendosme* posted thither with relief. *Lewes* finding them of the *Revolt*, lapsed into their wonted insolency, began to rouse amain, put to sea all the ships he could procure, sends to the *Dutch* for Naval aide, and demanded of Captain *Pennington* the delivery of the English ships agreeable to his Masters promise: The Captain reply'd, he took no notice of any such promise, nor of any other agreement with the King his Master, then of taking in a chief Commander, and a competent number of Souldiers, not superiour to the English, and to go upon such employment as his Christian Majesty should direct, which, he said, he was ready to do: but to deliver up the ships without expresse order from his Master, were a presumptuous, yea, a treasonable act in him. The King of *France* perceiving the Captain so in-compliant, courted and tempted him with ample promises of advancement, and the proffer of large sums of ready money; and finding him still intractable, he proceeded to protest against him as a Traitor to his King; which protest so irritated and urged the English Sea-men, then under his command, as they in-

stantly in a fury weighed anchor, and set sail for the Downs: from whence the Captain sending to our King for a further signification of his pleasure, *his Majesty* rather willing to submit to the hazard of *Lewes* his breach of Faith, then to the blame of receding his own from pollicitation, returned answer, that *His wil was that he should consign up his own and the six Merchant ships to the service of his Brother*. This order soon elicited obedience in Captain *Penington*, and the residue, so as they all rendered up their charge to the *French*. With the conjunction of these seven *English*, & a Squadron of twenty *Dutch*, under the command of Admiral *Halstein*, with his own Navy conducted by *Montmorency*, *Lewes* brake furiously in upon *Subize* the *Stasiarch*, the chief Rebel, forceth him from his strength, reprizeth many ships formerly taken by him, and so impetuously chafeth him, as he with much difficulty escaped to the *Isle of Oleron*. Our King having advice of this misemployment of his Ships repugnant to their prime destination by compromise and mutual contract, sent an expostulatory message to his Brother, demanding the cause of this violation of his Royal parole, and withall requiring the restitution of his Ships. To the breach of Promise the *French King* returned answer that the *Rochellers* had first temerated and slighted their Faith with him, and that necessity inforced him to use all means to impede the progresse of so great disloyalty, which he could not well doe without the aid of the *English* Ships, his own Fleet being upon other service: As to the restitution of the Ships, he replied, *That his Subjects, by whom they were mann'd, held them contrary to his minde*, and therefore wisht his Brother would come by them as he could. King *Charles* would have none of this answer, and while he pressed for a better, he occasioned it, by the seizure of the *New-haven-ship*; which *Lewes* took for sufficient ground not only to keep his hold of those seven ships, but also to arrest our Merchants goods in *France* to the value of three hundred thousand pounds; yet at length, either upon our Kings re-imbarquing to the *French* owners their goods, or reason of State (new commotions then arising in *France*) so perswading, *Lewes* in the begining of *May*, 1626. released all our both ships and goods. Upon this all was calm as could be between them again; But this lucid interval lasted not long, there being a fresh eruption of discontent upon an unhappy dyfaster, which befel in our *Queens* Court, and it was as followeth.

July the 1. of this year, towards the evening, the King waited on by the Duke of *Buckingham*, the Earls of *Holland* and *Carlile*, and other principal Officers, came to *Somerset* house, whither all the *Queens* servants were commanded by a message sent the same day soon after dinner to repair, and delivered his minde to them, to this effect.

I

Gentlemen

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1626.

Misapplied to
the offence at
Rochel.

An unhappy
accident in the
Queens Court
concerning her
Domesticks.

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1626.



Gentlemen and Ladies,

I am driven to that extremity, as I am personally come to acquaint you, that I very earnestly desire your return into France. True it is, the deporiment of some amongst you hath been very inoffensive to me; But others again have so dallied with my patience, and so highly affronted me, as I cannot, I will no longer endure it.

This accusation, though not determined to any particulars, yet while the blame hovered over all, every single was concern'd to keep it aloof; so that one by one, they began profession of their several innocencies. The Bishop of Mende answered, Sir, *If this accrimination be levelled at me, let me, I beseech you, know my fault, while I am here to make defence.* And Madam S. George seconding him; Sir, *I make no question but the Queen will give of me a fair testimonial to your Majesty.* But the King departed with this *Reparti*, this short reply only, *I name none.* The Queen, whose tenerity of years, and frailty of sex had not yet annealed and fixt her for such an encounter, upon the first knowledge of it overwhelmed with the billows of passion, grew exceeding impetuous against his Majesty, imputing it to him as the outside and extremity of unkindenesse, that having so slender a set and sute of her Native friends and servants to attend her, they must now be in an instant all cashier'd, in whose lieu she must now expect not a train of Honor, but a guard of disaffected strangers, not to wait so much upon her commands, as to watch her actions, and to be treated liker a Prisoner then a Princess. That it was an high indignity to the daughter of France, and Queen of England, that she could not retain a menial servant without a *Conge d'eslier*, and precarious addresse. His Majesty observing her thus transported, laboured by all gentle perswasions to pacifie her; but finding the torrent too ferocious and furious for reason to deal with, resolved he was (hoping that her choler would at length quench it self with its own ebullitions and over-seethings) to ride out the storm, and persisted inflexible from his former purpose. Whereupon in the beginning of the next month they were constrained to quit the Realm. A very sad doom it was certainly to the French, if we look upon the punishment abstracted and singled from the fault; for many of them had made sale of all was theirs in France for the purchase of those places of attendance, to whom proscription and banishment was equivalent to utter ruine. But as the animadversion was extreme severe; so their offences were adequately and in like degree hainous: and suffer they might an uniform chastisement, for misdemeanours of several makes. The Ecclesiastick, stood charged for putting intolerable scorn upon, and making Religion it self doe Penance by enjoining her

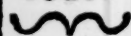
They are
warned out of
the Realm,

Their several
offences;

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1626.

her Majesty under the notion of *Penance*, to goe barefoot, to spin, to wait upon her Family servants at their ordinary repasts, to trasp on foot in the mire on a rainy morning from *Somerset* house to *Saint Jameses*, her Confessor mean while like *Lucifer* himself riding by her in his Coach; but, which is worst of all, to make a Progress to *Tyburn*, there to present her devotions. A most impious piaculary, whereof the King said acutely, that, *The Action can have no greater invective then the Relation*. Again the Bishop of *Mende* was blamed for contesting over eagerly with the *Earl of Holland* about the *Stewardship* of those Mannors, which were setled upon the *Queen* for her Dower, that Office being confer'd on the *Earl* by the *King*, and the Bishop claiming a grant from her Majesty. The other sex were accused of crimes of another nature, whereof *Madam S. George* was, as in dignity of Office, so in guilt, the principal; culpable she was in many particulars, but her most notorious and impardonable fault was, her being an accursed instrument of some unkindenesse between the *King* and *Queen* through a causelesse taking distaste at his Majesty, for a repulse from riding in the Coach with both their Majesties, Ladies of greater eminency worthily claiming preferment. This seeming disrespect she resented with so deep disgust, as she ever after meditated all possible means not only to create an odium and disdain in the *Queen* against the *English* Ladies, but also to procure a disaffection to the *King* himself. And in tract of time her insinuations into the *Queens* credulity were so potent, that what *Madam S. George* suggested, was more credential with her, then what her husband could alleadge in contradiction. So that the *King* perceiving Majesty thus trampled under foot; and the sacred ties of Wedlock, making such approaches to a kinde of nullity, through the instigation of hers and such mischievous spirits, the result of his reason could be rationally supposed no other, then to evacuate and discharge the Kingdome of them. And the event did highly commend the counsel, for these incendiaries once casheired, the *Queen* who formerly shewed so much waspish protervity and way wardnesse, soon fell into such a mode of loving complacence and compliance, as evidently verified, her former deportment was rather the product of malicious spirits, then the effects of any crosse-grained inclination of nature; nor did the world ever afford a couple more mutually endeared each to other, then that *Parc-Royal* became after that. But though this *Rem-voy* of her Majesties servants imported domestique peace, yet was it attended with an ill aspect from *France*, though our King (studying to preserve fair correspondence with his Brother) sent over the Lord *Carleton* with instructions to represent a true account of the action, with all the motives to it, but his reception was very course, being never admitted to audience. For *Lewes* his

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Mercury Fran-
cisi, & Du
Chesne.

An Embargo
of our ships at
Bordeaux.

cars were so wide open to the complaints of the proscribed *French*, as in the crowd of many truths, malice had power to convey in portentous lyes, one whereof is especially filed upon the Record of *History*, by some *French* Narrators, viz. *That they were casheir'd without their wages and appointment*; whereas they had not only their full Debentures paid them, but (as in draught) large rewards over and besides, the total amounting to twenty two thousand seven hundred thirty two pound, the several parcels whereof I am able to ascertain, and for the verity of this I appeal to Sir *Henry Vane* then Cofferer to the King. But *Lewes* dispatcht *Monsieur* the *Marshall de Bassompierre* as extraordinary Ambassadour to our King, to demand the restitution and postlimineation of the *Queens* Domestiques; who labouring some months in vain for their re-establishment, was compelled at length to return home a mal-content. Nor was it very difficult to presage what the issue of his Negotiation would prove in *England*, considering how the Lord *Carleton* was slighted in *France*, and how that disrespect was seconded by an affront of a worse quality upon our Ships at *Bordeaux*, at that very instant of *Bassompier's* imployment here. For our Merchants laden with Wine at *Bordeaux*, in their return home, being to take in their Ordinance at *Blaya* Castle upon the *Gironde*, where (according to an ancient custome of diffidence in the *French* towards us *English* they were unladen) they were all arrested in the beginning of *November* by order from the Parliament of *Rouen*, upon pretence of some injurious depredation by the *English*. This indignity King *Charles* stomacht with such vehemency of spirit, as he resolved upon hostility with *France*, as shall appear in the Narrative of the ensuing year.

Before I remove from hence, let me here offer at an *Aphorism* and State-syliogism, that is, from those premised and fore-recited differences to infer, that *Confederations* and alliances between Princes are rarely long-lived; the reason (I conceive) is, because they are not fouldered by any magnetique of *Love*, but by occult interest of State, and therefore pendulous upon the variety and mutation of affaires. And for the most part they are occasioned by a *Fear*, either mutual of each others, or in conjunction of a third power, (so that such *Leagues* may more properly be called *Leagues* of meticolosity and fear, then of *amity*) whereby it comes to passe, that if the ballance of power be not equilibrated, very evenly poysed, that Prince who hath the oddes of inclination either in realiry or supposition, will soon finde and excogitate for his own advantage matter of pretext to retire from his Faith, and to temerate the Laws of Alliance; nor can any verbal formality in the frame of the Treaties secure, nor the Oaths (the strongest ligaments of humane society) by which they are ratified, be defensatives sufficient against any, who hath a genius and

and minde to violate his fidelity, especially when the difference is like to receive no other decision then what the sword yeelds. And if such Alliances have the hap to be entertained with a serious and cordial disposition on both parts, yet many traverses and untoward accidents fortuitously and by chance occur, which either not managed to the best behoof of correspondence, or seconded by counsels of an ill temper, carry along with them fatal consequences, and generate a Rupture. So it fell out in this quarrel between us and *France*, wherein whether either merited the total of the blame generally imputed to them, may occasion further disquisition.

That the imbarque and stay of our ships at *Blay* by *Lewes* his command was an infringement of the League, it is conceded, no evasion can be devised for it. But that he brake his Faith (as is generally suggested and urged against him) in using the seven ships against *Rochel*, changing thereby the property of their prime destination, I under favour supersede my assent. My reason is;

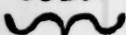
All promises whatsoever, carry always about them, tacite *Salvo's* and savings of general and imply'd conditions; whereof one is, *That affairs keep their station, and vary not from what they were at the moment of solicitation*: for words cannot oblige beyond the minde, and it would be destructive to humane society, should a man be bound up by the strictness of his parole, to the performance of what (upon rational principles) neither himself would have granted, nor another have required of him at the first instant of the contract. And this was *Lewes* his case: for when he first past that promise, he had at home a considerable Armado, the greatest part whereof he might, and would have reserved to engage against *Rochel*, and consequently have disposed the *English* ships agreeable to his first purpose. But that Navy being now abroad, and too remote to bring timely aid, not to use all imaginable means in order to his own safety for the crushing of those *Revolters*, had been to betray himself to inevitable ruine. For in periclitations and dangers of so eminent a degree, it is to none denied to use all the wits they have: therefore even amongst the *Romans*, the most steady and punctual observers of Faith, there was a law, and they tell us enacted by *Jupiter* himself, which justified all actions whereby the *Common-wealth* might be preserved; therefore though paradox it may seem, and out of the roade of common beleeif, yet seeing none can convince it for *heterodox*, and repugnant to truth, in this particular we may pronounce that *Lewes* did break rather his word, then his Faith.

King *Charles* is taxed for violating the Matrimonial Pact by the Renvoy and discarding of the *Queens* Domestiques. An accusation

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Πάντων ἀνέμιν
φθόρον τὰ ἐξ ἡμῶν
φύγοντα τῶν
μεγίστων καὶ
καταδύσαντες ἐν
τῷ θαλάσσῃ.
Thucyd. lib. 1.
Jupiter ipse
sanxit ut omnia
quæ respub.
salutaria essent,
justa & legitima
haberentur.
Cic. Philip. 2.

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cusation, which if it hath somewhat of truth, it hath I am sure more of partiality; for why should he be singled out in the accrimination, who was not single in the crime? not only other Princes, but *Lewes* himself having been guilty of a similiary practice upon the *Spanish* retinue of his own *Queen*. But Precedents are no Standards, nor can they legitimate illegal actions; this therefore no just vindication of our *King*, whose honour will (if I mistake not) finde better relief from the Agreement it self, then from example.

The Article urged against him is the fourteenth, by which it was contracted, *That all the Domestique servants which the Queen should bring over into England, should be natural French and Catholiques, chosen by the most Christian King*. And in case of death, she to chuse others Catholiques of *France*, provided the *King* of *Great Britain* should assent. Hereby it appeareth that her first set was to be of her Brothers Election, and so they were. But how long they should continue their attendance, and that ejection (in case of misdemeanour) might not create a vacancy as well as death, nothing is expressly limited to the contrary: and indeed it cannot in reason be conceived, that the Articles should give them a longer term, then during an obedience futable to their Offices, or state them in such an indefeisable tenure, as might tempt them to all kinde of insolence against their Superiours. So then their condition being pendulous upon their good behaviour, which no doubt, (as is evident by their Oath clientelary, and of Fidelity formed in the fifteenth Article) was equally relative to either *Majesty*, I cannot but totally acquit *King Charles* of blame in proscribing such as refractarily offended. To proceed.

Whilest these two Kings were thus picking quarrels one with the other, very sad news came hither from *Germany*, That the *King* of *Denmark*, notwithstanding the late aid sent from *England* of six thousand men under the conduct of *Sir Charles Morgan*, had on the 17. of *August* received a total overthrow by *Tilly*, and was reduced to such distresse, that if present succour came not he was ruined forever. That the *Sound* was like to be lost, the *English* Garrison at *Stoade* straightly besieged, our *Eastland* Trade and staple at *Hamborough*, where our clothes are vented, almost given up for gone.

Though these storms appeared as Land-skaps and aloof, yet the *King* foresaw that as the winde lay, their impression was like soon to visit him at home, and at home he was in no good plight to bear up against them, matters going there with him correspondently ill.

For having sent out a Fleet of thirty sail, all men of War, in the beginning of *October*, under the command of the Lord *Willoughby*.

The Reign of King Charles.

63

Longley, and *Earl of Denbigh*, an hideous storm so ruffled them, as they had much ado to gain safe harbour; and well they escaped so, for they were of so slight and insufficient a structure, as had they been but an hundred leagues farther off, very few, if any, had recovered land.

But it is an ill wind blows none to good; and this boystrous gust was a friendly contrivance of providence for the *Earl of Denbigh's* advantage, there falling out an unhappy accident in his absence, which called and speedily too, for all was man in him.

The *Marquesse Hamilton* had been long, and earnestly solicited by the *Duke* to marry his Neece, this *Earls* daughter. The *Marquesse* had a minde as high as (some thought above) his extraction, and did account that *Earls* daughter, who was (though well derived) but yesterday *Sir William Fielding*, *impar congruus*; and no fit match: at length the *King* interposeth his desire, and *Princes* desires are equiparate to commands; so in the end the *Marquesse* consents, and weds her, but with a serious resolution never to bed her: all fair and gentle means were used both by the *King* and *Duke* to perswade him to become her bed-fellow, and that failing they steer'd a course quite contrary, and divested him of his place in the *Spicerie*, worth two thousand five hundred pound *per annum*. Upon this the *Marquesse* mal-content, a week before the *Earls* return, departs for *Scotland*, bidding the *Court* (as it was supposed) an eternal valediction. The *Earl* no sooner landed, then he was saluted with the news of his son in laws departure; whereupon he takes post a-main after him, and after many denyals, at last with earnest importunity reduced him to the *Court*; yet all the art and Royal power could not induce him to bed her, untill two years after, and not then without some seeming reluctance.

The *King* being thus on every side on the losing hand, he was much distressed in minde what course to take to discharge himself of those impendent calamities; should he call a *Parliament*, the time (whose every moment was precious to him) would not permit to stay for their convention; and when met, should they prove (as it was odds they would) as dilatory and disgustful as the former, he were in a worse condition then before. In this perplexed difficulty, at length his *Council* agreed to set that great engine his *Prerogative* on work, many projects were hammered on that *Forge*, but they came all to small effect. First they moved for a contribution by way of *Benevolence*, but this was soon dash'd; then a resolution was taken to enhance the value of *Coyn* two shillings in the pound, but this also was soon argued down by *Sir Robert Cotton*, but that which the *Council* stuck closest to, was the issuing of a *Commission*, dated the 13. of *October*, for rayfing of almost two hundred thousand pounds by way of *Loan*; and the more to expedite and facilitate this levy, the *Commissioners* were instructed to represent

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Marquesse Hamilton departs in displeasure.

The *King* is want.

Raiseth monies by *Loan*.

to

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to the subject the deplorable estate of *Rochel*, then closely beleager'd by the *Duke of Guise*, and if not speedily relieved, would fall irrecoverably into the hands of the enemies of the Protestant Religion.

These were plausible insinuations. For *Rochel* though situated in another Countrey, yet was looked upon as in the same parallel of belief with us. And what will not men suffer for others of the same perswasion; especially when fame reports them sufferers, because of the same perswasion?

Many refuse.

But all would not smooth the asperity of this illegal Tax; *Rochel* and all other forain considerations must stand by, when home-bred liberty is disputed; so thought the almost moty of the Kingdome, who opposed it to Durance. Upon this account of refusal, prisoners, some of the Nobility, and most of the prime Gentry were daily brought in by scores, I might almost say by Counties, so that the Councel Table had almost as much work to provide Prisons as to supply the Kings necessities.

This year learning lost two luminaries of the greatest magnitude that ever this Nation enjoy'd.

Dr. Andrews B.
of Winchester
died.

First, that stupendiously profound Prelate Dr. *Andrews* Bishop of *Winchester*, an excellent disputant, in the orientall tongues surpassing knowing, so studiously devoted to the Doctrine of the ancient Fathers as his extant works breath nothing but their faith, nor can we now read the Fathers in his writings more then we could have done in his very aspect, gesture and actions, so venerable in his presence, so grave in his motions, so pious in his conversation, so primitive in all. Briefly, in him was, what was desirable in a Bishop, and that to admiration.

And the Vi-
count St. Al-
bans.

Secondly, the then, and last Lord Chancellor Sir *Francis Bacon* Vicount St. *Albans*, for humane learning his ages miracle, but withall the mirrour of humane frailty; and as most eminent in intellectual abilities, so too much in his prudential failings, occasioned by his August and Noble soul, which disdainning all drossie and terrene considerations, never descended to know the value of money, until he wanted it; and his want was so great, as when he yeilded to the Law of Nature, he left not of his own enough to defray the charge of his Funeral rites.

He lyeth interred in the Church of St. *Michael* at St. *Albans* in *Hartfordshire*, and hath there a fair statuary monument erected for him of white Marble at the cost of Sir *Thomas Meautis*, his ancient servant, who was not neerer to him living then dead: for this Sir *Thomas* ending his life about a score of years after, it was his lot to be inhumed so nigh his Lords Sepulchre, that in the forming of his grave, part of the *Vicounts* body was exposed to view; which being spied by a Doctor of Physick, he demanded the head to be given him, and did most shamefully disport himself with
that

that shell which was some-while the continent of so vast treasures of knowledge.

The Commission of Loan not answering in its product his Majesties expectation, the Papists began now to plot their own advantage from the Kings wants, and under pretence of Loyalty, they of Ireland propounded to him that upon consideration of a Toleration of their Religion, they would at their own charge furnish him with a constant Army of five thousand foot and five hundred horse. But this project to their great regret proved down-baked, the Protestants countermining them, for in the next Spring Doctor Downham Bishop of London-Derry, preaching before the Lord Deputy and the whole State, Aprill the 22. taking for his text *Luke 1. 74. That we being delivered from the hands of our enemies, might serve him without fear,* In the midst of his Sermon, he openly read this Protestation subscribed by the Archbishops and all the Bishops of that Kingdome.

1. *The Religion of the Papists is superstitious and Idolatrous.*
2. *Their Faith and Doctrine Erroneous and Heretical.*
3. *Their Church in respect of both Apostatical.*

To give them therefore a Toleration, is to make our selves accessory to their abominations, and to the perdition of their soules.

But to sell them a Toleration, is to set Religion to sale, and with that their soules which Christ hath redeemed with his precious blood.

The Bishop having ended this protestation, added, *And let all the people say Amen,* which they did, so as the Church almost shook with the noise. The Deputy required of the Bishop a copy of both his Sermon and Protestation, who answered, *He would most willingly justify it before his Majesty, and feared not who read it.*

And about the same time the like offer was made here in England, to set forth ships and men for the safeguard of the narrow Seas; But old Sir John Savil found a trick worth two of that, he had a project would bring in double that money, saying, a Commission to proceed against *Recusants* for their thirds due to his Majesty by Law would do it, to which the King in part condescended, granting him and some others a Commission for the parts beyond Trent.

But though moneys came in but slowly, yet was the Naval force compleated for expedition about Midsummer; whereof the Duke appeared Admirall; as ambitious by some meritorious service to earn a better gust, or correct the universal *odium* against him.

June the 27. he set sail from Portsmouth with about six thousand Horse and Foot, and July the 21. he published this *Manifesto*, declaring the impulsive causes of his Majesties present arming.

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What

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Sir John Savil
project against
the English Pa-
pists;

The action of
Rbe.

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What part the *Kings of Great Britain* have always taken in the affaires of the reformed Churches of this Kingdome, and with what care and zeal they have laboured for the good of them, is manifest to all, and the examples of it are also as ordinary as the occasions have been. The now *King* my most honoured Lord and Master, comes nothing short of his Predecessors therein, if his good and laudable designs for their good had not been perverted to their ruine, by those who had the most interest for their accomplishment. What advantages hath he refused? what parties hath he not sought unto? that by his alliance with *France* he might work more profitably and powerfully the restitution of those Churches into their ancient liberty and splendor. And what could be best hoped by so strict an alliance, and from so many reiterated promises, by the mouth of a great Prince, but effects truly Roial and sorting with his Geatnesse? But so far fails it therein, that his Majesty in so many promises and so strait obligation of friendship, hath found means to obtain liberty and surety for the Churches, and to restore peace to *France* by the reconciliation of those whose breath utters nothing else but all manner of obedience to their King under the liberty of the edicts; that contrariwise they have prevailed by the interest which he had in those of the Religion to deceive them, and by this means not only to untie him from them, but also to make him (if not odious unto them) at the least suspected, in perverting the meanes which he had ordained for good, to a quite contrary end. Witnesse the *English* ships not designed for the extirpation of these of the Religion (but, to the contrary, expresse promise was made, that they should not be used against them) which notwithstanding were brought before *Rochel* and were employed against them in the last Sea-fight; what then may be expected from so puissant a King, as the King.

King my Master so openly eluded, but a through feeling equal and proportioned to the injuries received? but his patience hath gone beyond patience, and as long as he had hope that he could benefit the Churches by any other means, he had no recourse by way of armes; so far, that having been made an instrument and worker of the late Peace, upon conditions disadvantageous enough, and which would never have been accepted without his Majesties intervention, who interposed his credit and interest to the Churches to receive them (even with threatnings) to the end to shelter the honor of the most Christian King, under assurance of his part, not only for the accomplishment, but also for the bettering of the said conditions, for which he sends caution to the Churches.

But what hath been the issue of all this, but only an abuse of his goodnesse? and that which his Majesty thought a soveraign remedy for all their sores, hath it not brought almost the last blow to the ruine of the Churches? It wanted but little by continuing the Fort before *Rochel*, (the demolishing whereof was promised) by the violence of the Souldiers, and Garri- sons of the said Fort and Isles, as well upon the inhabitants of the said Town, as strangers; in lieu whereas they should wholly have retired, have daily been augmented, and other Forts built, and by the stay of Commissioners in the said Town beyond the term agreed on, to the end to make broiles, and by the means of the division which they made to open the gates to the neighbouring Troops, and by other withstandings and infractions of Peace, little, I say, fail'd it that the said Town, and in it all the Churches had not drawn their last breath. And in the mean while his Majesty hath yet continued, and not opposed so many injuries, so many faith-breakings, but by plaints and treatings, untill he had received certain advice (confirmed

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by intercepted Letters) of the great preparation that the most Christian King made to shewre upon *Rochel*. And then what could his Majesty do lesse but to vindicate his honor by a quick arming against those who had made him a party in their deceit, and to give testimony of his integrity and zeal, which he hath alwayes had for the re-establishing of the *Churches*, which shall be dear and precious to him above any other thing?

The first design of this *Fleet* was intended against *Fort-Lewes*, upon the continent neer *Rochel*. But we were diverted by a stratagem of the Duke d' *Angoulesm*, who (coming with three thousand Foot, and two hundred Horse, for the security of the Fort, and annoyance of *Rochel*) ordered his Quarter-masters to take up as much accommodation in the Villages for quarters, as would suffice for fifteen thousand men; and they of the *Religion* supposing the power to be agreeable to this area or content of ground possessed by them, sent speedy advice thereof to the Duke and *Subiſe*, who instantly directed their course toward the *Iſle of Rhe*.

July the 30. the *English* early in the morning shewed themselves upon the *Islands* of *Oleron* to the number of about twenty sail: upon their first discovery from land they were supposed to be *Dunkers* waiting the motion of the *Hollanders* then in the road, but when it was perceived that they made nearer approaches toward the shore of the *Iſle of Rhe*, and withall grew more numerous, and the *Hollanders* taking no alarm, they were then suspected to be *English*. The next day they sent in twelve ships to guard the entry of *Port-Breten*, falling down with the rest to a Fort of the *Iſle of Rhe*, called *de la Pree*, against which they played with their Canon, untill they made their approaches within Musket shot of the shore, which made *Sieur de Toiras* Governour of the Citadel of *St. Martin* think they had intentions of landing there; to impede which he made out all the strength he could, but we kept the *French* at that distance with our Ordinance, as gave us liberty to land about twelve hundred men. The enemy being about one thousand Horse and Foot besides *Voluntiers*, made a very gallant impression upon us, but coming counter and travers of our Canon, they received the greater losse; the total of those who fell on both sides was estimated at about nine hundred, whereof the enemy bare the greater share. Men of note slain of our party were Sir *William Heyden*, and *Sieur de Blancard*, a *French* man, Agent from the Duke of *Rhoan*, and the Protestants. Of the *French* the Governours brother, the Baron of *Chuntal*, and about half a score more.

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In this skirmish it was hard to distinguish which side won the field, seeing neither kept it, both retreating to their holds, we to our ships, they to their Garrison, where for three dayes all was so hūst, so calm on both sides, as if they had sworn a Truce, or had spent their hole stock of valour. At length the *Duke* perceiving the *French* had as little stomach as himself, went on shore again, intrenching himself, untill he had debarqued all his Horse: then he dispatcht *Subize*, and Sir *William Beecher* to *Rochel* for a recruite; who returning with five hundred Foot, they forthwith marched directly towards *St. Martins Fort*, (disdaining to attempt *La Pre*, which a slender assault would have subdued, and might have proved an handsome and safe place of retreat in their future necessity.) The Islanders upon his approach to their town fled into the Castle, and left the Town to his dispose, who thought it was an earnest of the Citadel it self, though the sense of their Council of War, especially of Sir *John Burroughs*, was clearly otherwise; and that a strength so mann'd and fortify'd, and in an Enemies Countrey, was almost inexpugnable. But notwithstanding all disswasions of his Council, the *Duke* fals to circumvallation and entrenchment, rearing many batteries, from whence he pelted the Fort for the space of two months together, though to little purpose; all the prejudice the enemy that way received, being not equivalent to ours in the losse of that gallant Gentleman Sir *John Burroughs*, who was slain with a Musket shot from the Citadel, while he was viewing the *English* Works, and after nobly and honorably interred at *Westminster*. It is said, that during this siege, there was taken by the *English* perdu, a *French* man with a ponyard of an odde fashion, wherewith (as he confessed) he was sent by *Toyras* to have stabb'd the *Duke*, which moved the *Duke* to poyson their fresh Springs; whereby, and for want of other supplies they were at once reduced almost to the point of yeelding; when in the very joynt and nick of necessity, *Monsieur Balin* at an high flood, in the dead of night conveyed in twelve Pinnaces laden with such provision, as bare up their drooping spirits untill fresh relief arrived, which came successively in smaller parcels, untill the Marshall of *Schomberg*, October 29. about three of the clock in the morning, the *English* taking no Alarm, under the favour of the *Fort de la Pre* landed four thousand foot and two hundred horse, wherewith about day-break he marched up to the view of the Fort and of the *English*. The *Duke* much startled at this so strange apparition, and finding it a formidable power, being loth to endure an engagement front and rear, resolved to rise and be gone; to which end he sent three hundred to guard the Bridge over which his Army was to passe unto the *Ile of Loofe*; but before he could be ready to march away, the enemy were drawing out of the little Fort, wherupon command was given to hasten away with all expedition.

Sir John Burroughs slain.

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The English
routed.The sum of
their losse.

pedition. But before the *English* were out of the Town, the enemy followed their Rear with their swords drawn, hollowing to us in a *bravado*, whereupon being got Musquet shot from the Town, we were all drawn into battalia, thinking the Enemy would charge, but they would advance no neerer: then we marched in Military order again, and coming through a Village, we placed our Musqueteers behind the wals in Ambuscado, which giving fire upon their Enemies Horse as they were coming that way, enforced them to retreat. Having marched about three miles further we came to many little hils, which we ascended, and underneath set our men again in Battalia, staying there almost an hour before we marched away. In the interim the enemy, which were before a mile and half distant from us, came almost up to us, and facing us from the tops of the hils, observed in what posture we marched. Then were drawn forth some Musqueteers of the Forlorn, to shoot at those upon the hils, and to play upon their Horsés. But as we marched away they still approached neerer to us, untill we came to a passage which was so narrow, having salt-pits on either side, as we could only march six a breast. The *French* now spying his opportunity, powred forth a great volce of shot against us, then we began to march as fast as possible. But as our Rear began to march, their Horse presently charged the Lord *Montjoyes* Troops, who turning tail rode in amongst our ranks, and routed us, (which Sir *Charles Rich* perceiving, cry'd, as it is reported, Kill him, kill him, though he be my brother) so that the greatest part began to shift for themselves, and confusedly ran away, many casting away their arms, others leaping into the water were cut off. The other divisions of the Horse fell upon Sir *William Coninghams* Troops; but they most bravely fought it out unto the last man; had the Lord *Montjoy* done the like, there had not a quarter so many perished. In this time we could not charge the Enemy because our Horse interposed betwixt us and them, and we could not annoy the Enemy, but we must more endanger our own fellowes. By this means all those Regiments in the Rear were cut off, and some of those in the Battail; the Enemy charging us even to the Bridge, where some of our Commanders made a stand to receive them, and being not seconded by the souldiers who leapt into the water, were most of them slain; and had not Sir *Edward Conways* who led the Van marched back to the Bridge, and gallantly repelled the Enemy, who were newly passed over the Bridge, we had been all slain. Now the enemy being driven on the other side, we left a select company of Musqueteers to guard that Passe untill night, when we burnt the Bridge, lodged that night in the Loose, and the next day went on board. The black Bill of this days mortality was about fifty Officers, of common souldiers few lesse then two thousand, Prisoners

The Reign of King Charles.

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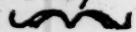
ners of note thirty five, colours taken forty four, hung up as Antiques at *Paris*, in the Church of *Nostre Dame*. Honour lost, all we got at *Agin-court*. The Prisoners *Lewes* graciously dismiss home, as an affectionate offertory to his Sister the Queen of *England*: which made up another victory superadded to the former, and a conquest over us as well in the exercise of civilities, as in feat of Arms. Only the Lord *Montjoy* was ransomed, for which he offering to the *French King* a round sum. No my Lord, it's said the King replied, your redemption shall be only two couple of Hounds from *England*. Some interpreted this a slender value of that Lord to be exchanged for a couple of Dogs, but it was only in the King a modest estimate of his curtesie.

Thus were we I know not whether more, or chased out or destroyed in this fatall Isle, an Isle so inconsiderable as had we lost there neither blood nor honour, and gained it in to the bargain, it would have ill rewarded our preparation and charge of the expedition.

Great enterprises are fit entertainments for heroique spirits, and the ambition of them is noble. But as the achievement of them is glorious, so the failing shamefull, and the both glory and discredit commensurate with the interest of the Agent, and consequently Adventurers in chief have the greatest shew both in the honour and disgrace; so it fared with the *Duke*, whom this misfortune made principally obnoxious to the lash of wanton tongues, for upon his first weighing anchor and setting sail homeward, the *French* said in a jeer, Though the *Duke* could not take the Citadel of *St. Martins*, yet it was odds but he would take the Tower of *London*. Nor did his own Countrey spare him at home, for immediately upon his return Doctor *Moore* a Prebend of *Winchester*, a man of an acute but aculeated wit, took occasion to cite in his Sermon that of *Augustus* in *Tacitus*, *Quintili Vare redde Legiones*, which saith the Historian perished propter inscitiam & temeritatem Ducis, giving him a quaint wipe with the amphibology the double-mindednesse of the word *Dux*: In this he was exceeding that in the face of Majesty he found all serene, only the King told him what Sir *Sackville Crow* had written to him of a far greater losse then he acknowledged.

During this expedition, *George Abbot* Archbishop of *Canterbury* was compelled to a re-cessse not inglorious to his fame, and of infinite contentment to his mind, which secluded from the drudgery of temporall cares might holely intend those which concern'd eternity. Being sequestred from his function, and a Commission dated *October 9.* granted by the King to five Bishops, Bishop *Land* being of the Quorum to execute Episcopall jurisdiction within his Province. The declared impulsive to it was a supposed irregularity

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The Lady *Purbeck* censured
in the Star-
chamber.

A fray in *Fleet-
street*.

rity in him by reason of an homicide committed by him *per infortunium* upon the Keeper of his game (about six years before) by the unhappy glance of an Arrow levell'd at a Deer; upon which sad mischance a former Commission was awarded by King *James* to enquire whether he was thereby rendred incapable of officiating as Archbishop, yea, or nay. And although no arguments were pretermitted which the wit of potent malignity could device or suggest against him, yet was he by the hole court (acquiescing in the opinion of those two learned men, Bishop *Andrews*, and Sir *Henry Martin* who both strenuously vindicated him) pronounced Regular.

Next *Michaelmas Term* there was an high debate concerning the *Loan Recusants*, they Petitioning the *Kings Bench* for an *Habeas Corpus*, the *Attorney General* alledging they were notailable, and their Council affirming they were, by reason the cause of their Commitment was not declared in the Warrant; but notwithstanding their Council pleaded with great applause, yet were they constrained to bide by it.

In this same term the Lady *Purbeck* was tryed in the High Commission for incontinence, or to speak more explicite, for *Adultery* with Sir *Robert Howard*, and being found guilty was censured to do Penance in the *Savoy*, to pay the Court five hundred Marks, and to be imprisoned during the pleasure of the Court. But being in the *Christmas* after pursued by the Officers to do her penance, she was rescued by the *Savoy* Ambassadour, her next neighbour, and so escaped their clutches.

Penance and restraint were indeed somewhat unseasonable at a time of such Jovial festivity and indulged freedome. And the liberty of that time mindes me of what then occurred joco-seriously, between jest and earnest, past at the interview of two great Princes.

That *Christmas* the Temple Sparks had enstalled a *Lieutenant*, a thing we Country folk call a *Lord of Misrule*: This *Lieutenant* had on *Twelfth Eve* late in the night sent out to collect his rents in *Ramme-Alley*, and *Fleetstreet*, limiting five shillings to every house. At every door they winded their Temple-horn, and if it procured not entrance at the second blast or summons, the word of command was then, *Give fire, Gunner*. This *Gunner* was a robustious Vulcan, and his engine a mighty Smiths Hammer. The next morning the Lord Mayor of London was made acquainted therewith, and promised to be with them the next night, commanding all that Ward, and also the Watch to attend him with their Halberds. At the hour prefixt the Lord Mayor with his train marched up in Martial equipage to *Ramme-Alley*: Out came the *Lieutenant* with his suit of Gallants, all armed in *cuerpo*. One of the Halberdiers bad the *Lieutenant* come to my Lord Mayor

Mayor; No, said the *Lieutenant*, Let the Lord Mayor come to me. But this controversie was soon ended, they advancing each to other till they met half way, then one of the Halberdiers reproved the *Lieutenant* for standing covered before the Lord Mayor; the *Lieutenant* gave so crosse an answer, as it begat as crosse a blow, which the Gentlemen not brooking, began to lay about them: but in fine, the *Lieutenant* was knockt down, and sore wounded, and the Halberdiers had the better of the swords. The Lord Mayor being thus master of the field, took the *Lieutenant*, and haled, rather then led him to the Counter, and with indignation thrust him in at the prison gate, where he lay till the *Attorney General* mediated for his enlargement, which the Lord Mayor granted upon condition he should submit and acknowledge his fault. The *Lieutenant* readily embraced the motion, and the next day performing the condition, so ended this *Christmas Game*.

In *January*, the Duke finding the poor remains of his late Army somewhat boistrous for want of pay, to prevent a mutiny, billeted them by small parcels in the countrey Villages, which made the Countrey people have cold chear, though hot fires; being not more burthened, then frighted with those guests, who being most strangers, *Irish*, and *Scots*, were none of the civillest, and such Hybernal stations having never been heard of before in England in time of peace, the jealousies of subsequent calamities doubled the sense of the present, and so swelled up their terrours still higher. At the same conjuncture of time Sir *William Balfore* a *Scot*, and eminent Commander of Horse in the *Netherlands*, was imployed thither by the King with bills of exchange of thirty thousand pounds to buy and transport a thousand Horse into England for the service of his Majesty; and *Dalbier* a Dutch man, sometimes belonging to Count *Mansfield*, was joyned in Commission with him: so that the common man began to mutter, as if there were some Turkish tyranny in design.

On the other side the King was infinitely perplexed, and distracted with restless thoughts, these discontents of the Subject were not still-born, but cryed so lowd as reached to his sacred ears; he studyed all means to disabuse them and remove their jealousies, declaring he disdained to harbour any such unkingly thoughts, and that he had a greater love for them then so, and desired he might at least ease their mindes, seeing he could not (as matters stood with him at present) their purses.

And in truth his exigents were passing great, the King of Denmark being reduced almost to a despondence, and quitting of his Kingdome, our Garrison governed by Colonel *Morgan* exceedingly straightned, and the *Rochellers* crying amain for help.

For the Duke being returned from the Isle of *Rhe*, the King of France resolved upon a serious and formidable siege against *Rochel*,

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Souldiers billet
in the coun-
trety.

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The Rochellers
crave the Kings
aide.

and agreeable to the artient advice of *Montluc*, An. 1573. prosecuted all ways to subdue the Town by Famine, ordered an entire circumvallation towards the Continent, builded three Forts with many redoubts upon the entrenchment, whose linc was three leagues in circumference, and distant from the town somewhat more then Musquet shot; all this to preclude and hinder relief on that side. But what would a Land-obstruction advantage while the Sea avenues were open? therefore the *Cardinal* of *Richelieu*, who was chief in the manage of that affair, attempted the making of a mighty Barricado, and Travers crosse the Channel, in length about fourteen hundred yards, leaving a space in the middle for the flux and reflux of the Sea.

The *Rochellers* perceived by the scantling and grandure of this preparation, the natural issue could be no other then their ruine, unlesse they should render it abortive by some counter-plot: this their distresse hurrieth and ferrieth over again *Subize* and their Deputies to *England*, to sollicite our *King* for fresh supplies before the prodigious work should be completed; who (good Prince) affected with their miseries, and desirous rather to protect them from being slaves, then to enable them to be Masters, condescended to assure them of what assistance he could make. But alas! what could his assistance signifie, who was necessitous as themselves? Did they want Men, Ammunition, Ships? so did he, seeing he wanted that which was all these, *Money*. And how, where shall that be had? His last borrowing Commissions, was a course so displeasing to the subject, as would not admit of re-petition, and it would prove an odde payment of that *Loans* arrears to demand another. But the *King* was now the Subject of a greater *Potentate* then himself, *Necessity*; and this necessity put him upon several projects. First he borroweth of the Common Council of *London* one hundred and twenty thousand pounds, for which and other debts he assures unto them twenty one thousand pounds *per annum* of his own lands, and of the *East-India* Company thirty thousand pounds, and yet he wants: Next *privy Seals* are sent out by hundreds, and a new way of *Levy* by *Excise*, resolved upon to be executed by Commission, dated the 3. of *February*, and yet he wants. But the best and most taking project of all, was a *Parliament*; whereby he hoped not only to supply his necessities, but also to give some better repose to his troubled spirit, for he felt no inward contentment, whilst he the Head, and his Subjects the Body, were at distance, or like intersects and flies, tack't together by a mathematical line & imaginary thread; therefore he seriously resolved for his part to frame and dispose himself to such obliging complacence and compliance, as might re-consolidate them by continuity of affection: This *Parliament* was summoned to meet upon the 17. of *March*, and the writs being

A Parliament
called.

ing issued out, the *Loan-Recusants* appeared the only men in the peoples affections; none thought worthy of a Patriots title, but they who were under restraint upon that account; so that the far greater number of the Parliament was formed of them, and as their sufferings had made them of eminent remark for noble courage, so did they for external respects appear the gallantest assembly that ever those wals immured, they having estates, modestly estimated, able to buy the House of *Peers*, (the King excepted) though one hundred and eighteen, thrice over. Thus were all things strangely turned in a trice topside t' other way, they who lately were confined as prisoners, are now not only free, but petty Lords and Masters, yea and petty Kings.

Some few dayes before the *Session*, a notable discovery was made of a Colledge of *Jesuites* at *Clerkenwell*. The first information was given by one *Crosse*, a messenger to Secretary *Coke*, who sent a Warrant to Justice *Long* dwelling neer, enjoining him to take some Constables and other ayd with him, and forthwith to beset the house and apprehend the *Jesuites*: Entering the first door, they found at a stairs foot, a man and woman standing, who told them, *My Masters, take heed you goe not up the stairs, for there are above many resolute and valiant men, who are well provided with swords and pistols, and will lose their lives rather then yeeld, therefore if you love your lives be gone.* The Constables took their counsel, and like cowardly Buzzards went their way, and told Secretary *Coke* the danger: whereupon the Secretary sent the *Sheriff* to attach them, who coming with a formidable power found all the holy Foxes retired, and sneakt away; but after long search their place of security was found out, it being a lobby behinde a new brick wall wainscotted over, which being demolisht, they were presently unkennell'd to the number of ten. They found also divers letters from the Pope to them, empowering them to erect this Colledge under the name of *Domus Probationis* (but it proved *Reprobationis*) *Sancti Ignatii*; and their books of accounts, whereby it appeared they had five hundred pounds *per annum* contribution from their Benefactors, and had purchased four hundred and fifty pounds *per annum*; they had a *Chappel*, *Library*, and other roomes of necessary accommodation with household utensils and implements marked with *† S.* What became of those *Jesuites* will fall in afterward, and what would have become of the Secretary for his double diligence in their prosecution, you should have heard, had not the Duke been cut off, by an end untimely to himself, timely to the popular gust.

The *Parliament* being met, the King began thus to them;

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A notable nest
of Jesuites discovered.

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The Kings
speech.*My Lords and Gentlemen,*

‘ These times are for *Action*, for *Action* I
 ‘ say, not for *Words*, therefore I shall use but a
 ‘ few; and (as *Kings* are said to be exemplary
 ‘ to their *Subjects*, so) I wish you would imi-
 ‘ tate me in this, and use as few, falling upon
 ‘ speedy consultation. No man is I conceive
 ‘ such a stranger to the Common necessity as
 ‘ to expostulate the cause of this meeting, and
 ‘ not to think supply to be the end of it; and
 ‘ as this necessity is the product and conse-
 ‘ quent of your advice, so the true *Religion*,
 ‘ the *Laws* and *Liberties* of this State, and just
 ‘ defence of our *Friends* and *Allies*, being so
 ‘ considerably concern’d, will be I hope argu-
 ‘ ments enough to perswade supply; for if it
 ‘ be, as most true it is, both my duty and
 ‘ yours to preserve this Church and Com-
 ‘ mon-wealth, this exigent time of certain-
 ‘ ly requires it.

‘ In this time of common danger, I have
 ‘ taken the most ancient, speedy, and best way
 ‘ for supply, by calling you together. If (which
 ‘ *God* forbid) in not contributing what may
 ‘ answer the quality of my occasions, you doe
 ‘ not your duties, it shall suffice I have done
 ‘ mine, in the conscience whereof I shall rest
 ‘ content, and take some other course, for which
 ‘ *God* hath impowered me, to save that which
 ‘ the

‘ the folly of particular men might hazard
‘ to lose.

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‘ Take not this as a menace (for I scorn to
‘ threaten my inferiors) but as an admoni-
‘ tion from him who is tyed, both by nature
‘ and duty, to provide for your preservati-
‘ ons; and I hope, though I thus speak, your
‘ demeanors will be such, as shall oblige me
‘ in thankfulness to meet you oftner, then
‘ which nothing shal be more pleasing to me.

‘ Remembring the distractions of our
‘ last meeting, you may suppose I have no
‘ confidence of good successe at this time,
‘ but be assured, I shall freely forget and for-
‘ give what is past, hoping you will follow
‘ that sacred advicelately inculcated, to *main-
‘ tain the unity of the spirit in the bond of
‘ peace.*

The *Parliament* seemed at first exceeding prompt to close with the *Kings* desires, and as complyingly disposed as could be wished. But they had not forgot the many pressures which made the the subject groan: something they must do for them who sent, as well as for him who called them thither: and to anticipate all dispute in point of precedence between the *Subjects* grievances and the *Kings* supplies, they made an Order that both should proceed *pari passu*, cheek by jowl. Upon full consideration of the *Kings* wants, they presently and cheerfully agreed to give him five Subsidies: whereof Secretary *Coke* was the first *Evangelist*, and bearer of that good newes to the *King*; who received it with wondrous joy, and asked the Secretary by how many voices it was carryed; Sir *Fohn* replied, *but by one*; at which perceiving the *Kings* countenance to change, Sir, said he, *your Majesty hath the greater cause to rejoyce, for the House was so unanimous therein, as they made but one voice*; whereupon the *King* wept, and bad the Secretary tell them, he would deny them nothing of their liberties, which any of his predecessors had granted.

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The Parlia-
ment grant
liberally.

The

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The subjects liberty under debate.

Protestation
to King Charles
concerning law.

The Lords
nice in the business.

The stream of affairs running thus smoothly without the least wrinkle of discontent on either side, the House of Commons first insisted upon the personall freedome of the people, and resolved for Law, *That no free man ought to be imprisoned either by the King or Councell, without a legal cause alledged*; this opinion of the House was reported to the Lords at a conference by Sir Edward Coke, Sir Dudley Diggs, Mr. Selden, and Mr. Littleton, Sir Dudley Diggs citing *Acts 25. ver. 27. It seemeth an unreasonable thing, to send a prisoner, and not withal to signify the crimes laid against him.*

This business stuck very much in the Lords House, who were willing that the nails should be pared, not the hands tyed of the Prerogative; severall and great debates there were about it, the Attorney pleading eagerly, though impertinently for the King; and the ancient Records were so direct for the people, and so strongly enforced, as the Attorney had no more to say, but, *I refer my self to the judgement of the Lords.* And when these Lords were to give judgement concerning it, the Ducal or Royal party (for they were both one) were so prevalent, as they who leaned the other way, durst not abide the tryal by vote, but calling the Lord Keeper down, moulded the House into a Committee, untill the Lord Say made a motion, *That they who stood for the Liberties, (being effective about fifty) might make their protestation, and that to be upon record, and that the other opposite party should also, with subscription of their names, enter their reasons to remain upon Record, that posterity might not be to seek, who they were, who so ignobly betrayed the freedome of our nation, and that this done, they should proceed to vote.* At which the Court-party were so daunted, as they durst not mutter a syllable against it.

Personal liberty being thus settled, next they fall upon the liberty of goods, the unbilleting of Souldiers and nulling of Martiall Law in times of peace, and finding *Magna Charta* and six other Statutes explanatory of it, to be expressly on their side, they petition the King to grant them the benefit of them; whereupon he declared himself by the Lord Keeper to them, That he did hold the statutes of *Magna Charta* and the six other insisted upon for the subjects liberty to be all in force, and assured them that he would maintain all his subjects in the just freedome of their persons, and safety of estates. And that he would govern according to the Lawes and Statutes of the Realm; and that his people should finde as much security in his royall word and promise, as in any lawes they could made. So that hereafter they should have no cause to complain, and therefore he desired no doubt nor distrust might possesse any man, but that they would proceed speedily and unanimously on with their business.

This Message begat a new question, *Whether, or no, his Majesty should*

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should be trusted upon his word. Some thought it needlesse, because his Oath at the Coronation binding him to maintain the Lawes of the Land, that Oath was as strong as any royall word could be; Others were of opinion, that should it be put to vote, and carryed in the negative, it would be infinitely dishonourable to him in forein parts, who would be ready to say, The People of England would not trust the King. At length in the height of this dispute stands up Sir Edward Coke, and thus informed the House, *We sit now in Parliament, and therefore must take his Majesties word no otherwise then in a Parliamentary way, that is, the King sitting on his Throne in his Robes, his Crown on his Head, his Scepter in his hand, in full Parliament, that is, both Houses being present, all these circumstances observed, and his asserit being entred upon record, make his royall word the word of a King in Parliament, and not a word delivered in a chamber, or at second hand by the mouth of a Secretary, or Lord Keeper.* Therefore his motion was, That the House should (*more Majorum*) according to the custome of their Predecessors, draw a *Petition (de Droit)* of Right to his Majesty, which being confirmed by both Houses and assented to by the King, would be as firm an *Act* as any.

This judgement of so great a Father in the Law, at this time ruled all the House, and accordingly a Petition was framed, and at a conference presented to the Lords, the substance whereof after the recitall of severall Statutes relating to the privilege of the subject, was reduced to these four Heads:

The Petition
of Right.

1. *They do pray your most excellent Majesty, that no man hereafter be compelled to make or yeeld any Gift, Loan, Benevolence, Tax or such like charge, without common consent by Act of Parliament; and that none be called to make answer, or to take such oath, or to give attendance, or be confin'd, or otherwise molested, or disquieted concerning the same, or for refusall thereof.*

2. *And that no freeman be taken, and imprisoned, or be disseised of his free-hold or liberty, or his free customes, or be out-lawed or exiled, but by the lawfull judgement of his Peers, or by the law of the Land.*

3. *And that your Majesty would be pleased to remove the Souldiers and Mariners now Billeted in divers*

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divers Counties, and that your people may not be so burthened in time to come.

4. *That the late Commissions for proceeding by Marshal-law may be revoked and annulled, and that hereafter no Commission of like nature may issue forth to any person or persons whatsoever to be executed, lest by colour of them any of your Majesties subjects be destroyed, and put to death contrary to law and the franchises of the land.*

All which they most humbly pray of your most excellent Majesty, as their rights and liberties according to the Lawes and Statutes of this Realm, And that your Majesty would also vouchsafe to declare, that all awards, doings, or proceedings to the prejudice of your People, shall not be drawn hereafter into consequence and example.

The passe of this *Petition* was a great while disputed earnestly between the *Lords* and *Commons*; the *Lords* had a more concerning interest in the *Prerogative*, as that which gave them their first existence, and present subsistence; and this *Petition* they thought would detrunk too much, and some thought strike at the very root of that *Prerogative*, so that they suspended their assent; yet because they would seem not altogether to abandon the Publique, they model'd an *Addition* of *Saving* (as they called it) and desired the *Commons* it might be adnexed to the *Petition*; the addition was, *We present this our humble Petition to your Majesty, not only with care to preserve our own liberties, but with regard to leave intire that Sovereign Power, wherewith your Majesty is trusted for the protection, safety, and happinesse of your people.*

This *addition* would not down with the *Commons*, who imagined it would make the *Petition* so much Royalist, as it would signifie nothing, as to the subjects benefit, and would prove *felo de se*, self-destructive. A conference was had with the *Lords*, and Mr. *Noy* sent to signifie the reasons and resolutions of the lower House, but the *Peers* received little satisfaction; thereupon, a second was desired, and being managed by Sir *Henry Martin*, and Serjeant *Glanville*; at length the *Lords* were perswaded to comply: then it was presented to the *King* without any such saving label. His Majesty desired time to consider of it, yet did

did not long delay them, for as his own gracious inclination disposed him to give much, so he thought it expedient in that conjunction of time, to give more for expedition in reference to his necessary supplies, and within five daies after gave them this ensuing answer.

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The King willetb that right be done according to the Lawes and Customes of the Realm, and that the Statutes be put in due execution, that his Subjects may have no cause to complain of any wrong or oppressions contrary to their just Right and Liberties, to the preservation whereof he holds himself in conscience as well obliged as of his Prerogative.

The Kings
first Answer.

The King was confident this Answer would have pleased to purpose, for as he was far from any mental reservation or equivocation, so was he studious it should be worded adequate to their desires, and was astonisht to hear it was not satisfactory; but it seems it was too elaborate, and that the King had put too much cost into it; for the sense was not, it seems, the essence; and though the matter was *sans exception*, yet because not agreeable to the usuall mode, disliked; for formality was the formall part of it; therefore the Parliament agreed to petition for a new Answer of the old model, but before that Petition was framed, his Majesty unexpectedly surprised them with this Speech.

The Answer I have already given you was made with so good deliberation, and approved by the judgement of so many wise men, that I could not have imagined but that it should have given you full satisfaction; but to avoid all ambiguous interpretations, and to shew you there is no doublenesse in my meaning, I am willing to please you in words as well as in substance. Read your Petition, and you shall have

His second
Answer.

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an Answer that I am sure will please you.

The *Petition* being read, his Majesty answered,

Le droit soit fait comme il est desire. This I am sure is full, yet no more then I granted you in my first answer; you see now, how ready I have shewed my self to satisfie your demands, so that I have done my part, wherefore if this Parliament bath not an happy conclusion, the fault is yours, I am free.

The King having ended, the Houses testified their joy with a mighty shout, and presently the Bells rung and Bon-fires were kindled all the city over; nor was the true cause so distinctly known; for many apprehended at first, that the King had delivered the Duke up to them to be sent to the Tower, upon which misprision some said the Scaffold on Tower-hill was instantly pulled down; the people saying, *His Grace should have a new one.*

It was also said, that the House of Lords made suite to the King upon this happy accord, that he would be pleased to receive into Grace those Lords who were in former disfavour, which he readily yielded to, and admitted the Lord Archbishop of Canterbury, Bishop of Lincoln, the Earls of Essex, Lincoln, Warwick, Bristol, and the Lord Say to kisse his hand.

The Petition thus granted, the Commissions of Loan and Excise were instantly out-lawed, and at the entreaty of the House of Peers cancelled in the Kings presence. Having thus secured the Faults, they removed to the Faulty; and resolved upon a large Remonstrance to the King, ripping up both the grievances themselves and the authors of them. This Remonstrance consisted of six branches, in sum these:

1. *The danger of Innovation and alteration in Religion. This occasioned by, 1. The great esteem and favours many professors of the Romish Religion receive at Court. 2. Their publique resort to Masse at Denmark House, contrary to his Majesties answer to the Parliaments Petition at Oxford. 3. The Letters for*

The Parliaments Remonstrance.

for stay of proceedings against them. Lastly, the daily growth of the Arminian faction favoured and protected by Nele Bishop of Winchester, and Laud Bishop of Bathe and Wels, whilst the Orthodox party are silenced or discountenanced.

2. The danger of Innovation, and alteration in Government occasioned by the Billeting of Souldiers, by the Commission for procuring one thousand German Horse and Riders, as for the defence of the Kingdome, by a standing Commission granted to the Duke to be General at land in times of peace.

3. Dysasters of our Designes, as the expedition to the Isle of Rhe, and that lately to Rochel, wherein the English have purchased their dishonor with the waste of a million of treasure.

4. The want of Ammunition occasioned by the late selling away of thirty six Last of Powder.

5. The decay of Trade by the losse of three hundred ships taken by the Dunkyrkers and Pirates within these three last years.

6. The not guarding the narrow Seas, whereby his Majesty hath almost lost the Regality.

Of all which evils and dangers the principal cause is the Duke of Buckingham his excessive power, and abuse of that power. And therefore they humbly submit it to his Majesties wisdom, whether it can be safe for himself, or his Kingdome, that so great power both by Sea and Land as rests in him, should be trusted in the hands of any one Subject whatsoever.

This Remonstrance being finished on Tuesday, June 17. they presented it, as an appendix, with the Bill of Subsidies to the King in the Banqueting house, who having heard it out, told them he little expected such a Remonstrance, after he had so graciously passed the Petition of Right; as for their grievances he would consider of them as they should deserve. Some say that at his passage out, the King gave the Duke his hand to kisse, which others only suppose was no more then the Dukes low congie to his Majesties hand.

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Dr. Manwaring
questioned ;

And censured.

It is also reported, that the King being informed that Mr. Denzil Holles had an hand in this Remonstrance, he replied in the words of *Julius Caesar*, *Et tu Brute !* I wonder at it, for we two were fellow Revellers in a Masque together.

Some unkindness also happened between the Lords and Commons concerning the Bill of *Subsidies*, in the grant whereof the Commons had either industriously excluded, or incuriously omitted these words, *The Lords, Spiritual and Temporal* ; and the Lords expostulating with indignation the cause of their omission, answer was returned, *That some Acts had heretofore passed so, yet nevertheless, if their Lordships would return the Bill, their names should, if they pleased, be inserted* : whereat the Lords in some anger said, *And are not we as able to put them in our selves, as they were to leave us out ?*

Three days before this, Dr. Manwaring was questioned for some seditious passages in two Sermons preached, one before the King, the other at his own Parochial Church, wherein he asserted,

1. *That the Kings Royal command in imposing without common consent in Parliament Taxes and Loanes, doth so far bind the conscience of the Subjects of this Kingdome, that they cannot refuse the payment of them, without perill of eternal damnation.*

2. *That Authority of Parliament is not necessary for the raising aides and Subsidies.*

These things being too evident to be denyed, and too grosse to admit of qualification, his sentence was ;

1. *Inprisonment during the pleasure of the House.*

2. *Fine one thousand pound to the King.*

3. *To make such submission and acknowledgment of his offences as shall be set down by a Committee in writing, both at the Bar of the Lords House, and at the House of Commons.*

4. *To be suspended for three years from the exercise of the Ministry.*

5. *To be disabled from ever preaching at Court hereafter.*

6. *To be disabled for ever from having any Ecclesiastical dignity or secular Office.*

7. *That as his Book is worthy to be burnt, so his Majesty may be moved to grant a Proclamation for the calling it in, as also for the burning of it.*

According to the third member of which sentence two days after he made his submission on his knees.

Whilst the Parliament was busie about this Doctor, the King was as busie about their late Remonstrance, to which he formed a formal answer, traversing and denying all their charge, wherewith the Commons, being somewhat irritated, (for it was a smart one) fell down-right upon another Remonstrance against *Tonnage and Poundage*. But the King was unwilling to hear of any more Remonstrances of that nature, therefore resolved to frustrate it by Proroguing

going of the *Parliament* unto *October* the 20. *June* the 26. being the last of this Session, his *Majesty* calling both houses together, before his Royal assent to the *Bills*, delivered his mind as followeth.

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My Lords and Gentlemen,

I*T may seem strange that I come so suddainly to end this Session, therefore before I give my assent to the Bills, I will tell you the cause, though I must avow I ow an account of my actions to none but God alone. It is known to every one that a while agoe the House of Commons gave me a Remonstrance, how acceptable every man may judge, and for the merit of it I will not call that in question, for I am sure no wise man can justifie it.*

Now since I am certainly informed that a second Remonstrance is preparing for me, to take away my profit of Tonnage and Poundage (one of the chief maintenances of the Crown) by alledging that I have given away my right thereof, by my Answer to your Petition.

This is so prejudicial to me, as I am forced to end this Session some few hours before I meant it, being willing not to receive any more Remonstrances, to which I must give an harsh Answer.

And since I see that even the House of Commons begins already to make false constructions of what I granted in your Petition, lest it be worse interpreted in the Country, I will now make a Declaration concerning the true intent thereof.

*The Profession of both Houses, in the time of
hammer-*

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hammering this Petition, was no wayes to trench upon my Prerogative, saying, They had neither intention, nor power to hurt it.

Therefore it must needs be conceived that I have granted no new, but only confirmed the ancient Liberties of my Subjects. Yet to shew the clearnesse of my intentions, that I neither repent nor mean to recede from anything I have promised you, I do here declare, That those things which have been done, whereby men had cause to suspect the Liberty of the Subject to be trencht upon (which indeed was the true and first ground of the Petition) shall not hereafter be drawn into example for your prejudice; And in time to come (in the word of a King) you shall not have the like cause to complain.

But as for Tonnage and Poundage, it is a thing I cannot want, and was never intended by you to aske, never meant (I am sure) by me to grant.

To conclude, I command you all that are here, to take notice of what I have spoken at this time, to be the true intent and meaning of what I granted you in your Petition; But especially you my Lords the Judges, for to you only under me belongs the interpretation of the Laws, for none of the Houses of Parliament joynt, or separate (what new doctrine soever may be raised) have any power, either to make, or declare a Law without my consent.

The

The *Parliament* being thus prorogued, the *Commons* were exceedingly male-content, for they desired only a *Recess*, and *Adjournment*, whereby all matters then depending, might be found in the same station and condition at their next meeting, wherein they at that present left them.

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This Session were enacted these *Laws*:

1. For further reformation of divers abuses committed on the *Lords-day*, commonly called *Sunday*.
2. To restrain the passing or sending of any to be *Popishly* bred beyond the *Seas*.
3. For the better suppressing of unlicensed *Ale-house* keepers.
4. For continuance and Repeal of divers *Statutes*.
5. For the establishing of the *Estates* of the *Tenants* of *Brumfield* and *Yale* in the *County* of *Denbigh*, and of the *Tenures*, *Rents* and *services* thereupon reserved, according to a late composition made for the same with the *King* then *Prince* of *Wales*.
6. For the confirmation of the *Subsidies* granted by the *Clergy*.
7. For the grant of five entire *Subsidies*, granted by the *Temporality*.

But above all famous to all posterity is this Session, for his *Majesties* gracious answer to that gallant *Standard* of common *Liberty*, the *Petition of Rights*. Never did *Arbitrary* power since *Monarchy* first founded, so submittere fasces, so vail its *Scepter*; never did the *Prerogative* descend so much from perch to popular lure, as by that concession, a *Concession* able to give satisfaction, even to supererogation, for what was amisse in all the *Kings* by-past *Government*.

During this Session many things occurred worthy to be recorded, which because forein to the *Parliament* affairs I reserved as a *Postscript*: being loth to make a simultaneous meddly of various actions, shuffled together without dependence upon either antecedent or subsequent narrations.

May the 8. the *Earl* of *Denbigh* as *Admiral* set sail from *Plymouth*, with about fifty sail of tall ships, for the relief of *Rochel*, and being scanted in *Mariners* he was enforced to take in two thousand two hundred land men, who should be amphibious, serving partly for sea-men, and partly for land-souldiers: with this power he made an attempt toward the relief of the *Town*, but was repelled much to our losse, but more to our dishonour, so as he presently betook himself to a speedy return, arriving at *Plymouth* the 26. of the same month. The supposed author of this dyfaster was one *Clark* a *Bedchamber* man, and a chief *Commissioner* in all our former improsperous expeditions: who, because a supposed *Papist*, was conceived to have industriously betrayed us to this and former miscarriages.

The relief of
Rochel attempt-
ed, but in vain.

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Stoadt surrendered.

Dr. Lamb his
exemplary
death.

The same month, but with greater honour was *Stoadt* our *English* Garrison, some twenty miles from *Hamborough* on the other side of the *Elbe*, given up to the Imperialists, Sir *Charles Morgan* having bravely and stoutly defended it: the conditions were, that the Garrison souldiers should never bear arms against the *Emperour*, but at the command of their own *King*.

June the 13. Doctor *Lamb* suffered for the testimony of a lewd conversation. Having been at a Play-house, at his return some boyes began to affront him, and call him the *Dukes Devil*, whereupon he hired some to guard him home, and taking in at a Cooks shop where he supd, the people watcht his coming out, but he was so strongly guarded as they durst not venture on him, then he went to the wind-mill Tavern in *Lothbury*, and at length coming forth, the tumult being much encreased, gave the onset, and assaulted him, so as he was forced to take refuge in the next house, but the enraged multitude threatned to pull down the house unlesse *Lamb* were speedily delivered to them. The Master of the house was a Lawyer, and fearing some sad consequence of this uproar, discreetly sends for four Constables to guard him out. But the furious multitude flew at him, in the midst of his auxiliaries, struck him down, and malled him with a vengeance, so as they beat out one of his eyes, and left him half dead upon the place. In this plight he was carryed into the Counter in the *Poultry*, no other house being willing to receive him, where the next morning he changed this life either for a better or for a worse.

A most infamous and gracelesse wretch he was, twice had he been arraigned, once for a witch, and practising his hellish art upon the Lord *Windsor*, another time for a rape at the Kings-bench-barre at *Westminster*, where to the astonishment of all then present, he proceeded to such prodigious insolence as to say in the audience of the hole Court, *I wonder any should think I would commit such an act upon so despicable a creature as this* (meaning his accuser) *when had I been so disposed, I could have had my choise of the handsomest Ladies in the Court.* Some considerable circumstances must not be forgot, by reason of their synapsis, their coherence with this relation.

It is certain, that not full a year before, he foretold, that he should perish in the streets by the fury of the people. Some say, that when the multitude were belabouring him with stones, and cudgels, they said, *that were his master the Duke there, they would give him as much.*

Some things also were of ominous observation in reference to the *Duke*, for on the same day that *Lamb* was slain, the *Dukes* picture fell down in the high Commission Chamber at *Lambeth*. But that which was most notable, was, that when these

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these and the like accidents were spoke of as foreboding something of present fatality to the Duke in the Lady Davis her hearing; she, for certain, reply'd, *No, his time is not come till August*. This added to her former prediction concerning this Parliament, and both verifi'd in the event; rear'd the Lady up the fame of a great Prophetesse: and yet this could be in the very Devill himself, but a nude conjecture; for though he had found the mindes of men very susceptible of, and disposed to receive a temptation to such a fact; which he was resolved to suggest at that time; yet that the act itself should be executed precisely then, guess he might; prognosticate he could not; for in things determined in their naturall causalities to certain and definite effects, not only Devils but wise men, where miracle interposeth nor, may infallibly divine the products: but in things contingent upon free and voluntary agents, all the Devils in hell can but blunder.

On the Munday after the Lord Maior and Aldermen of the City were sent for to appear at the Councell Table, and to give an account of the uproar about *Lamb*, and were threatned, that unlesse they discovered and rendred up the Malefactors, they should forfeit their Charter, and in the upshot were fined, as was reported, Six thousand pounds.

This Session ended, the King finding as he thought so malevolent a glosse started from his late Act of Grace, conceived it stood him in hand to stand upon his guard, and to make the best improvement of the small remnant of Prerogative which he had left; to which purpose instruments of working and active brains were sought out, and finding the Earl of *Mariborough* the then *Lord Treasurer* too dull and phlegmatick for his employment, he removed him and lifted up the late Lorded Sir *Richard Weston* into his place, a man of most accomplit qualifications for his design, and about the same time dignified Sir *Thomas Wentworth* of *York-shire* with a Barony, though one of the late Committee in forming the unpleasing Remonstrance, and a stickler against the Prerogative, but this beam of Majesty as it did heat, so did it soften the temper of the man, so as he became thence forward most flexible to his service.

In the beginning of *August* came forth a Proclamation against Papists, but especially against Jesuits and Priests, a sort of men in the state of *England*, like the Mathematicians, and Astrologers under the *Roman Empire*, *alwayes*, as the Historian saies, *banished, yet alwayes staid behind*.

But the great businesse of this vacation was the setting forth a third Fleet for *Rochel*, then which there never appeared a more gallant *Armado* formed by our Nation, and because so noble a preparation must be suitably commanded, the Duke resolved to give the venture once more.

Earl of *Mariborough* removed.

Sir *Richard Weston* preferred.

Genus hominum quod in civitate nostra & vetabitur semper & retinebitur, Tacit. Hist. r.

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The Duke
murdered.

But whilest he was in pursuit of this enterprize, he was rapp'd and hurried into another world by an abrupt and untimely death.

For on the Vigil, the Eve of *St. Bartholomew*, the 23 of *August*, being at breakfast at *Portsmouth* with *Sombize*, and others of principall quality, one *John Felton* (sometimes a Lieutenant to a Foot Company in the Regiment of Sir *John Ramsay*) who had but about a week before meditated the act, but had not yet contrived the means, sneaks into the chamber, vigilant to observe every opportunity serviceable for his purpose, and finding the *Duke* ready to rise from the table, he withdrawes into an entry, through which the *Duke* was to passe, who coming by with Sir *Thomas Frier* (to whom he declined his ear in the posture of attention) in the very instant of Sir *Thomas* his retiring from the *Duke*, *Felton*, with a back-blow, stabb'd him on the left side into the very heart, leaving the knife, a ten penny coutel, in his body. The Earl of *Cleveland* and some others who were in the hearing of the thump, reported, that the most religious murderer, in the very act of striking, said, *Lord have mercy on thy Soul*; a speech, which the *Duke* had scarce ability to say for himself, for pulling the knife out, presently, the orifice being wide, there streamed such an effusion of blood, and consequently such an emission of spirits, as he only was heard to say (some report with an oath) *The villain hath kilted me*, and then expired. All this while the assassinate pass'd undiscovered (a faire advantage had he been studious of escape) and the general voice passing currant up and down, that he was a *French-man*, *Felton* like an ingenuous villain, with an undaunted courage, avowed himself the author of it. Many are said to be his instigations to this execrable act. He had long and in vain attended for his arrears of pay due for former service. Again, he was twice repulsed upon his Petition for a Captains place, and others super-inducted over his head. It was thought these extimulated and whetted him on to rancour, and it is like he had prejudicated some such construction would be made of it, and conceiving the supposition of private revenge would infame and blemish the glory of the exploit, presuming he should encounter inevitable destruction, he stitched a paper to the lining of his hat, wherein he declared, his only motive to the fact was, the late Remonstrance of the Commons against the *Duke*, and that he could not sacrifice his life in a nobler cause, then by delivering his Countrey from so great an enemy.

Two things, as especially, and almost singularly observable after his fall may not be omitted.

First, no sooner had he expired his last, and his body shifted into another room, but the Corps was totally abandoned, not a living soul

Things memorable after his fall.

soul was to be seen a great while in either chamber, that where he dyed, or that whereinto he was removed; either bycause they durst not trust fancy with a spectacle so horrid, or bycause they feared some further assasination. The like fate, if *History* be truly informed, attended the Body of our first *Norman King*.

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Secondly, that the first news thereof finding his *Majesty* (then about four miles distant) at his publique devotions, he received it without the least emotion of spirit or discomposure of countenance: which equanimity some imputed to his steady intention upon that sacred duty; others thought that though he disliked the mode and way of his dispatch, yet with the thing he was well enough pleased, as if providence had thereby rid him of the Subject of his so great perplexity, whom he could not preserve with *safety*, nor desert with *honour*. But these were soon convinced of their errour, when they observed his *Majesty* treat his relations with so intense respect.

But whatsoever satisfaction the King received thereby, certain it is, it pleased the *Common* man too well; for though Christianity and the Law found the act murther, yet in vulgar sense it rather past for an execution of a Malefactor, and an administration of that justice dispensed from heaven, which they thought was denied on earth. And bycause all those stormes at publique miscarriages generated in the lower Region of the *Parliament*, had of late been terminated in him, as their grand efficient, every man would now be wise and fore-speak fair weather, and harmony between the *King* and Subject, how truly a few moneths will discover.

The Commons
rejoyce.

His leaving a *Will* behind him, imports he did somewhat premeditate death. Therein he bequeathed to his *Duchesse* the fourth part of his Lands for her Joynture. His debts amounted to sixty one thousand pounds, his Jewels (most belonging to the late *Queen*) were prized at three hundred thousand pounds.

His Will.

His Funerall was nothing solemn, his body being interred clandestinely the 25 of *September*, attended with about an hundred mourners. The Heralds were indeed sent for by the Lord *Treasurer* a week before to project a sumptuous funerall for him, and according to order they brought in large proportions, it was thought exceeding those in the Obsequies of King *Jamcs*. But at length, upon second thoughts, the *Treasurer* told the *King*, *Such pompe would prove but an houres shew, and that it were more for his glory to erect him a stately Monument which he might do for half the cost.* The *King* liked the motion well, and after the *Dukes* Buriall, put the *Treasurer* in minde of what he had contrived, wishing him to see it done; then the

His Funerall.

Treasurer

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His Character.

Treasurer reply'd, Sir, I would be loath to tell your Majesty, what the World would say both here, and abroad, if you should raise a Monument for the Duke, before you erect one for your Father. Whether this clearly and cunning diversion flowed from the Treasurer his no singular good wil to the Duke, or from a provident regard to his Masters purse, let others determine.

Thus fell this miracle of grandure in the 36 year of his age, a race he might, in the ordinary roade of nature, have doubled. A Gentleman he was of that choice and curious make for exterior shape, as if Nature had not in his hole frame drawn one line amisse; nor was his fabrique raised by soft and limber stud, but sturdy and virile. His intellectualls gained him rather the opinion of a wise man, then of a wit. His skill in letters very mean, for finding nature more indulgent to him in the ornaments of the body, then of the minde, the tendency of his youthfull genius, was rather to improve these excellencies, wherein his choice felicity consisted, then to addict himself to morose and fullen bookishnesse, therefore his chief exercises were, Dancing, Fencing, Vaulting, and the like, as indications of strenuous agility: yet could he have foreseen where all the climacteries and motions of his advance should have terminated, that from no more then a meer Gentleman, it should be his luck to vault into the Dignity of a Duke, and trust of a privie Counsellor, we may presume his early studies would not have cast so much neglect upon a thing so important to him as a Statesman, though not very fashionable as a Courtier. The temperature of his mind was, as to morall habits, rather disposed to good then bad; his deportment was most affable and debonair, a rare example in one raised so high, and so speedily: to his relations liberall, firme to his friend, formidable to his enemy. From venereal excursions I cannot totally acquit him, He was a Courtier and young man, a Profession and Age, prone to such desires, as when they tend to the shedding of no mans blood, to the ruine of no Family, humanity sometimes connives at though she never approves. Of his Religion, they who write most in favour of him speak little, whereof if he was too incurious, His condition the more deplorable, when surpris'd by so suddain a death as afforded him not the respiration of auricular contrition. But seeing God is accostable by inorganicall and inaudible ejaculations, and no time is too short to exclude such an infinite mercy, charity wils we hope the best.

The last attempt toward
Rochels relief.

This Tragique accident of the Dukes did so little impede the motion of the Fleet, as it is a question whether or no it did at all retard it: for the King did with such personal assiduity, such diligence

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gence hasten the furnishing of it with all necessities both of provision and munition, as he dispatcht more of concernment to it in ten or twelve dayes then the Duke did in so many months before, so that on the eighth of September following departed from Portsmouth the Earl of Lindsey, (a Gentleman full of gallantry and courage) commanding in chief; but before his coming the Cardinal had finisht his prodigious Boorn and Barricado, through which it was impossible to break. Many and brave attempts (though some of his Captains fincht, either in resolution, or obedience) he had made, and the last began to promise hopes of good successe, for the foremost ships came up to the very mouth of the bar, and when they were ready to enter the passage, the winde at that very moment whistled about into an opposite point, and drave them dangerously foul one upon another. This the Rochellers observing from the wals, gave all for lost, and presently set open their gates, sending out their principall men, not as Commissioners to treat, but as submissive Missives humbly to implore the Kings mercy: which *Leves* most compassionately granted them, and entred the City, Octob. the 18. in so civil a discipline, as not the least outrage was committed: indeed famine, and other martiall calamities had made havock enough before, four thousand being only the remains of twenty two thousand soules. The mighty works of fortification were instantly slighted, and the Town suffering a metastrophe, change of name as well as nature, was ordered to be called from the Queen Mother *Borgo Maria*.

Rochel rendered.

Rochel thus surrendred, set our Fleet at liberty, so having nothing more to do, the Earl plies him home.

During this last expedition news came to our King of some damage we had sustained, and as bad news could not be welcome to him, so was he loth to hear it from his Parliament, and from them he questioned not but to hear what ever untowardly befell, should they fit according to their first intention; therefore hoping the event would render them more pleasing discourse, he adjourned the meeting till January the 20. In the interim there were severall emergences and occurrences which would give them their hands full. For the generality of the Merchants both of the Turkey and the East-India Company refused to pay a penny, under the notion of Tonnage and Poundage, which caused a mighty contest betwixt the King and them, he urging the practise of his Predecessors in taking, they the validity of the Petition of Right in denying, so that divers of their goods were seised.

November 18. about four in the morning a lamentable fire seised upon the Lord Wimbletons house in the Strand, it being then the lodging of the States Lieger Ambassador, which consumed and de-

Wimbleton
house burnt.

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Felton execu-
ted.

A Proclama-
tion against
Papists.

molish it with all the rich furniture and utensils to the ground; so ferocious and impetuous it was, as the *Ambassadour*, his wife and children hardly, though half naked, escaped; all their other apparel, Jewels, money, &c. yea even the Commission it self perisht in the combustion. Who was the incendiary, or how this calamity was occasioned no man could tell, most thought it was an effect of the *Dutch* disorders the night before, who were notably tippled with feasting and jollities for a great prize taken by their Masters from the *Spaniards* neer the Bay of *Matanza*, worth a million and a half of treasure. This accident was the more remarkable, because that very night that very Lords Countrey house in *Surrey* was a great part blown up by a Candle-spark falling into a barrel of gunpowder, which a maid mistook for Soap.

Novemb. the 29. Felton having been arraigned, and found guilty at the *Kings Bench*, suffered at *Tiburn*. His confession was as sincere, and full of remorse as could be wished; the fact he much detested, and renounced his former error in conceiving it would be his glory to sacrifice himself for his Countreys good: and whereas other motives were suggested by report, he protested upon his salvation, that he had no other inducement then the *Parliaments Remonstrance*. His body was from thence transmitted to *Portsmouth*, and there hung in chains, but soon stoln and conveyed away Gibbet and all, by some either well affected to him, or ill inclined toward the *Duke*.

The *Parliament* was now approaching, and something must be done to please them, and what could better please them then the gracing of their great confident the *Archbishop of Canterbury*; therefore he was sent for to the Court about *Christmas*, and from out of his barge received by the *Archbishop of York*, and *Earl of Dorset*, by them accompanied to the *King*, who giving him his hand to kisse enjoined him not to fail the *Councell Table* twice a week. After this *Mountagues* Book called *Appello Casarem*, was called in by Proclamation, and a Declaration prefixt to the thirty nine Articles restraining all dispute on either side concerning the five points controverted.

There was then also published another Proclamation for the apprehending of *Richard Smith* the titular *Bishop of Chalcedon*. This Proclamation, saith *Mr. Pryn*, was procured at the earnest solicitation of the Regular Priests in *England* and *Ireland*, who violently opposed *Dr. Smiths* Episcopal Jurisdiction; but *Mr. Pryn* was much mistaken, for that prosecution was not till the year 1630. as shall be evidenced hereafter. And the impulsive to this proceeding against him, was his endeavour to have perverted some poor silly people in *Lancashire*; where the holy man appeared in his *Pontificalibus*, (as horned *Mitre* and *Crozier*) amongst a company of Geese.

Jan.

January the 16. the Lord *Doncaster* son to the *Earl of Carlile*, brought very sad news to Court from the *Hague*, which put the *King* and all his train into mourning, viz. That *Frederique Henry*, eldest son to the *Palzgrave*, was unfortunately drowned in the mere of *Harlem*, his Father the *Palzgrave* very narrowly escaping: they were going from the *Hague* to *Amsterdam*, out of a desire to see the great Prizes brought in, and entring into an Hoy on *Harlem* mere, they were benighted, when suddenly rose a violent storm which drave a greater vessel, then riding in the mere, so forcibly upon them, as stem'd them; of about twenty persons there were but three saved, all the rest perisht; his Father was dragged out of the mere with an iron hook. The Prince clasped his armes about the mast, cryed out for help, and boats were sent out to relieve him, but the night was dark and the weather so impetuous as they could not finde him until morning, when they discovered him clinging about the mast, but stark dead; the *Prin-cesse* his mother was newly brought to bed, when this doleful accident befel her, the news whereof drave her into a most vehement passion.

January the 20. the *Parliament* sate, who soon found they were like to have work enough: for complaints came thronging in, especially against the *Customers* for taking and distraining Merchants goods for *Tonnage* and *Poundage*, which the *King* taking notice of called them to the Banqueting house, and told them;

The occasion of that meeting was a complaint made in the lower House for staying of some mens goods, for denying *Tonnage* and *Poundage*, which difference might be soon decided, were his words and actions rightly understood. For if he did not take those duties as appendixes of his Hereditary Prerogative, and had declared he challenged them not of right, and only desired to enjoy them by the gift of his people, why did they not passe the *Bill*, as they promised to him to clear his by-past actions and future proceedings, especially in this his time of so great necessity?

Therefore he did now expect they should make good what they promised, and put an end to all questions emergent from their delay.

The House of *Commons* said, that Religion is above policy, *God* above the *King*; and that they intended to reform Religion before they ingage in any other consideration; nor was it agreeable to the liberty of consultation to have their transactions prescribed, so that they would for the present lay aside the *Bill of Tonnage* and *Poundage* till they thought convenient. And they were as good as their words, for the first thing resolved upon was the appointment of *Committees*, (which the *Courtiers* called an *Inquisition*).

One

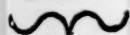
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Frederique Elefior son to the Prince Elefior drown-
ed.

The Parlia-
ment meet.

Committees
appointed.

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Religion in
danger.

One for Religion, another for Civil affairs, and these to represent the abuses in both.

The Committee for Religion declared, that upon due inspection they found it in a very tottering and declining condition. The dangers which most threatned it were *Arminianism* and *Popery*.

For *Arminianism*, informations were very pregnant, That, notwithstanding the resolution of the *Archbishop* of *Canterbury*, & other reverend Bishops and Divines assembled at *Lambeth*, Anno 1595. on purpose to deliver & declare their opinions concerning the sense of the 39. Articles in those particulars, unto which resolution the *Archbishop* of *York*, and all his Province did then conform in their belief. That notwithstanding those Articles of *Lambeth* were so well approved of by King *James*, as he first sent them over to the *Synod* of *Dort*, as the Doctrine of our Church, where they were asserted by the suffrage of our *British* Divines, and after that commended them to the *Convocation* held in *Ireland* to be inserted amongst the *Articles* of *Religion*, established An. 1615. and accordingly they were.

That notwithstanding formerly many several Recantations enjoyed and Censures inflicted upon the spreaders of those errors, those very men so censured in open Parliament, as *Mountague*, *Cozens*, *Manwaring*, and *Sibthorpe*, had by the procurement and solicitation of *Nele* Bishop of *Winchester*, and the *Earl* of *Dorset* obtained their pardons under the great Seal, and were not only sheltered under the Lee of Royal favour, but through the prevalency of the Bishops of *Winchester* and *London*, advanced to great preferment, whilst the Orthodox party were depressed, and under inglorious disdain, and the truth they served, was scarce able to protect them to impunity.

The hazard conceived from *Rome*, and the fear lest *Tibur* should drown the *Thames*, floweth from partly the uncontrolled preaching of several points tending and warping that way, by *Mountague*, *Goodman*, *Cozens* and others; and from the audacious obtruding of divers superstitious ceremonies by the Prelates, as erecting of fixed *Altars*, the dopping and cringing towards them, standing up at *Gloria Patri*. But these were but part-boyled *Popery*, but *Popery* oblique, the greatest danger was from *Popery* direct.

And from this the danger appeared very great; informations came daily in of the mighty progresse and increase of it within these few years, the contest whereof was proved by these particulars: That (for *Ireland*) in the City of *Dublin*, there were lately erected thirteen houses for *Priests* and *Fryers* to officiate in, more in number then the Pariochial Churches for the Protestants. For *Scotland* that the Papists have been of late very insolent and turbulent there. For *England*, that in some Counties they

they are multiplyed to the product of some thousands of families, more then there were in *Queen Elizabeth* her time; That of those ten who were apprehended at *Clarkenwell* at the Sessions 3. of *December* last, three of Treason, and the rest of Premunire, and direct Treason proved against three of them at the Session, Mr. *Selden* being then present and testifying as much, yet by the artifice of the two chief Lord Justices, *Hide*, and *Richardson*, in suppressing Justice *Long's* evidence, nothing was done against them, save that one was condemned, and the day before Execution was reprieved, by warrant from the Chief Justice, who pretended he did it by the Kings command. Lastly, the excessive resort of *Romish* Catholics to Masse at *Somerset house*, being so frequent, yet so connived at, and the penalty of Statutes through his Majesties overmuch indulgence so dispensed with, little differing from a Toleration.

The Committee appointed for inspection into Civil affairs reported, That upon search they finde the *Petition of Right* printed with the Kings first Answer, which gave the Parliament no satisfaction, for which the printer being questioned he confessed upon examination, that during the first Session of this Parliament one thousand five hundred copies were printed authentique, and without that addition, and that since that Session he had order from the *Attorney General* to reprint it with that addition. That many Merchants have had their goods seised, and informations preferr'd against them in the Starchamber, for refusing to pay the customes of *Tonnage* and *Poundage*; Impositions against the tenor of the *Petition of Right*, and against the priviledge of Parliament, one of these Merchants, viz. Mr. *Rolles* being a Member of the House of Commons: for which misdemeanours Sir *John Worsham*, the Patentee of the Customes, Mr. *Daves*, and Mr. *Carmarthen*, sharers with him, were called to account. The King finding these men under the lash, steps in to bear off or to bear the blows; tels the *Parliament*, that what they did was but as men addicted to his command, nor did he Commission them to take it as of right belonging to him, but out of a firm presumption that the House of Commons, futable to their large professions, would grant him by Bill; which he now exceedingly desired they would dispatch, and so put an end to this dispute.

To this the *Parliament* replied, that the Customers had no Warrant from his Majesty for all they did, as he did mis-understand, for they have diligently read his Majesties Warrant to the Customers, and it only impowereth them to levy and collect the monies, but not to seise the Merchants goods, and are censurable for extravagants from their Commission. And as to the passing the Bill, they craved his Majesties pardon for a while, both because they were at present intent upon matters of Religion, and they hoped he would not be offended if they served God in the first place, and

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Abuses in the
Civil State.

A great difference between
the King and
Parliament.

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The Parlia-
ment adjourn-
ed.

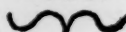
And again,

also because at present, his *Majesty* had put them out of capacity to doe it; for in his Warrant, formerly mentioned, *Tonnage* and *Poundage* are declared to be a *Principal revenue of his Crown*; if so, he had no cause to demand, nor they to grant what was his own already; therefore unlesse that expression may be rectified, or cancell'd the Record, and his *Majesty* will be content that the Bill may expressly and positively set forth his no right to it, but by the gift of his subject, they cannot rational grant it. The *King* perceiving their intention still was to sever the Customers act from his command, thereby to make them the more exposed to censure for Delinquency, and judging it highly concerned his honour to indemnifie them, iterated his desires again to them in a message sent by Secretary *Coke*, that they would desist from further molesting these men, intimating withall that what they did was by his especial direction; the House in much distaste at this message instantly cry'd *Adjourn, Adjourn*, and so they did, until the Wednesday following, on which day the *King* also by the advice of his Privy Council *Adjourned* them until the 2. of *March*: hoping thereby that giving them the more time to cool of themselves, it would soften their temper. But having certain intelligence from his correspondents in the lower *House*, that the heat did rather intend then relax, he resolved to *Adjourn* again untill the 10. of *March*. But the House being met on the 2. of *March*, up riseth Sir *John Eliot* in the morning, and makes a tart and stinging speech against the Lord *Treasurer*, fixing all the ills both of Church and State upon him, and in particular charging him with a design of transferring the *English* trade to Forianers. What he then delivered was in part prognosticated by the *King*, who knew it even an Embryo, and in the first conception; for it rarely happens, that what many know, none will discover, be it a secret of never so great importance, especially where men are, as these were, of a free and open spirit. Sir *Johns* invective being ended, the Speaker declared a message from the King commanding an *Adjournment* untill the 10. of that instant, wherewith the House being discontented told him, it was not within the verge of his Office to deliver such a Message, that *Adjournment* properly belonged to themselves, and that in time convenient they would satisfie the *Kings* pleasure: then again upriseth Sir *John* with a *Remonstrance*, which he presented to the reading, but both the Speaker and Clerk refused it, and being restored to him he read it himself, the substance being to this effect.

That they had taken into consideration the forming of a Bill for *Tonnage* and *Poundage*, but were so overlaid with the pressures of other businesse, and found that affair it self a matter so perplex with several difficulties, which would require much leisure to discharge, that at that time accomplish it they could not, this present

sent S^{ssion} moving (as they conjectured) apace to determination. And lest his Majesty should hereafter (as formerly he did) incline to the advice of servile spirits, or be abused into a persuasion that he might legally and justly receive those subsidies of *Tonnage* and *Poundage*, they humbly declared to him, that the laying any such Imposition upon the Subject is contrary to the fundamental law of the Kingdome, and to his Majesties late Answer to the *Petition of Right*. And therefore they lowly crave his Majesty would for the future forbear such taxes, and not to take ill the refusal of his people, to what is demanded by Arbitrary and unwarrantable power.

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This *Remonstrance* being read, the Speaker was moved to put it to the vote, whether it should be presented to the King, yea, or nay. But he craved pardon, alleading that the King expressly ordered him to leave the House, and attempting to rise from his chair, he was by force and strong hand stayed, (Mr. *Hollis* swearing, (so my information hath it) a deep Oath, that he should sit still as long as they pleased; and when neither threats nor reproaches could prevail, Sir *Peter Hayman* moved Mr. *Hollis* to read these ensuing Articles as the Protestation of the House.

1. *Whosoever shall bring in Innovation of Religion, or by favour seek to introduce Popery or Arminianism, or other Opinions disagreeing from the true and Orthodox Church, shall be reputed a Capital Enemy to this Kingdome and Common-wealth.*

The Protestation
of the
Commons.

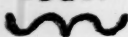
2. *Whosoever shall counsel, or advise the taking and levying of the Subsidies of Tonnage and Poundage, not being granted by Parliament, or shall be an actor or instrument therein, shall be likewise reputed a Capital Enemy to this Common-wealth.*

3. *If any man shall voluntarily yeeld, or pay the said Subsidies of Tonnage or Poundage, not being granted by Parliament, he shall be reputed a betrayer of the Liberties of England, and an Enemy to this Common-wealth.*

These he pronouncing with a loud voyce, the House gave their Epiphonema and applause at every close and period.

These distempers continued so long, and with so quick and high a pulse, as the King had early notice of them, who forthwith sent for the Serjant of the Mace, but the House would not permit him to depart, but taking the Key of the door from him, gave it to Sir *Miles Hobart* a Member of the House to keep. The King deeply

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ly incenied at these exceedings of contempt, sent *Maxwell* Lither of the Black Rod to dissolve the *Parliament*; but neither he nor his message would be admitted, whereupon the *King* much enraged sent for the *Captain* of the *Pensioners*, and the guard to force an entrance. But this Passion, that shut out the *King*, yet let so much reason in, as perswaded^d them it was good sleeping in an hole skin, and understanding the *Kings* intention, they suddenly voided the House.

Soon after this, that very morning, the *King* came into the Lords house and bespake them thus,

My Lords,

The Kings
speech at the
dissolution of
the Parlia-
ment.

I never came here upon so unpleasant an occasion, it being the dissolution of a Parliament; Therefore men may have some cause to wonder, why I should not rather chuse to doe this by Commission, it being a general Maxime of Kings, to leave harsh commands to their Ministers, themselves onely executing pleasing things. Yet considering that Justice as well consists in reward and praise of virtue, as punishing of vice, I thought it necessary to come here to day to declare to you, and all the World, that it was meerly the undutifull and seditious carriage of the lower House, that hath made the dissolution of this Parliament. And you my Lords are so far from being causes of it, that I take as much comfort in your dutiful demeanours, as I am justly distasted with their proceedings. Yet to avoid mistakings, let me tell you, that it is so far from me to adjudge all that House guilty, that I know there are many there as dutiful Subjects as any in the world, it being but some few Vipers amongst them, that did cast this mist of
un-

undutifulnesse over most of their eyes; yet to say truth, there was a good number there, that could not be infected with this contagion, in somuch that some did expresse their duties in speaking, which was the general fault of the House the last day. To conclude as these Vipers must look for their reward of punishment, so you my Lords must justly expect from me that favour and protection, that a good King oweth to his loving and dutiful Nobility.

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And now my Lord Keeper do what I commanded you.

The King having thus dissolved the Parliament, or rather broke up School, thought those whom he now called *Vipers* had not in the house of *Commons* spit up all their malignity, but reserved some to disperse and dispose of in the Countrey, whereby an ill odour might be cast upon his Government, and the hearts of his people alienated from him: as an antidote therefore against that poyson, and to anticipate all mis-understanding he speedeth out a Declaration, setting forth to all his Subjects the motives perswading him to dissolve the *Parliament*, and a breviat of all the transactions in this, and the former Session; withall minding them in the close of all, that the *Duke of Buckingham* was decry'd, while he lived, as the solitary cause of all bad events of former Parliaments, that he is dead, and yet the distempers not in the least abased, which he takes as an argument that they were mistaken in the cause, and that it was resident in some few members of the *Parliament*.

The King sets forth a Declaration.

Kings love to be treated with the most obliging caresses and debonair comportment that may be. And usually they derive asperity, not so much from innate and inbred proclivity, as from the protervity and in complyingnesse of their people, an humour able to sowre and change the best dispositions. They who shall cast a reflex upon those wofull miseries which were the consequences of this unhappy dis-union, may perhaps find cause to think, they could not have been worse, possibly better, had the Parliament been more complacent. But tis no wonder to find failings

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Naz. Epist.

Many Mem-
bers questi-
oned.

lings in the concrete masse, when in *solutis principiis*, and taken a-
sunder every unite exhibites and sheweth no lesse. True it is, in assem-
blies so august, so majestique, all things should be managed with
the greatest repose of passion, the Senators should be like their
Lawes, void of anger. But men will be ever men whatsoever they
be, be they *Christians*; wheresoever they be, be they convened in
Parliament, their frailties, their passions, yea and their interests
too, they still carry along with them, which made *Gregory Na-
zianzen* complain of *Councils*, *That he neuer saw any one end
well*; and what he said of *Councils*, *King Charles* might with as
much verity, have pronounced (as to his content) of *Parliaments*,
not any one he summoned having had any termination other then
disgustfull to him.

The King having as he hoped dis-abused the Subject by his
late Declaration, next intended to proceed severely against those
who had offended him, and whose punishment, he said, *he
re-served to a due time*. Upon this account the 18. of this
Moneth, he sent for ten of the late members to appear at the
Councell Table, viz. Mr. Hollis, Sir Miles Hobart, Sir John
Eliot, Sir Peter Hayman, Mr. Selden, Mr. Stroud, Mr. Co-
rison, Mr. Valentine, Mr. Long, Mr. Kirton. Those appea-
ring, Mr. Hollis was interrogated, wherefore (contrary to his
former use) he did, the morning the *Parliament* was dissolved,
place himself by the Chair, above divers of the Privie Coun-
sellors.

He answered,

*That he had some other times as well as then, seated himself
in that place. And as for his sitting above the Privie Counsellors,
he took it to be his due in any place whatsoever (unlesse at the
Counsel-board) And, for his part, he came into the House with as
much Zeal to do his Majesty service as any one whatsoever; And
yet neverthelesse, finding his Majesty was offended with him, he hum-
bly desired that he might rather be the subject of his mercy then of his
pewer.*

To which the Lord Treasurer answered, You mean rather of his
Majesties mercy, then of his justice.

Mr. Hollis reply'd, *I say of his Majesties power my Lord.*

Sir John Eliot next call'd in, was questioned for words he spake
in the Lower-house of Parliament, and for producing the last
Remonstrance.

To this he answered,

*That whatsoever was said or done by him in that place, and at
that time, was performed by him as a publick man, and a member of
that House, and that he was, and ever will be ready to give an account
of his sayings and doings in that place whensoever he should be
called unto it by that House, where (as he taketh it) he is
only*

The Reign of King Charles.

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only to be questioned, and in the mean time being now but a private man he would not now trouble himself to remember what he said or did in that place as a publick man.

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Sir Miles Hobart was also questioned for locking the Parliament House door, and putting the key in his pocket: to which he pleaded the command of the House.

The other Gentlemen were questioned for reproving the Speaker, and not permitting him to do what the King commanded him, who all alledged in their defence the *Privilege of the House*.

After this they were committed, some to the *Tower*, some to the *Gate-house*, and some to the *Fleet*, and May the 1. the *Attorney* sent a proccesse out against them to appear in the *Star-chamber*, and to answer an information to be entred there against them: but they refused; as denying the Jurisdiction of that Court over offences done in *Parliament*: which created the greatest and longest controversie in Law that had been started of many years.

About the later end of *March*, the *Marquesse Huntly* (with the *Earles of Arol, Athol, Nidsdale, and Abercorn*, of the *Scottish Nobility*) came running away to the *Court of England*, as fast as his old legs could carry him, being seventy two years aged; his cold Countrey being grown too hot for him: the occasion this.

Stirs in Scotland about the
Marquesse Huntly.

The *Marquesse* was hereditary Sheriff of a great part of *Scotland*, where his Lands lay. At *Aberden*, the *Papists* posted up a treacherous libel: not long after which, the *Priests* and *Jesuites* said Masse openly. This coming to the Councels hearing, they wrote to the *Marquesse*, as high Sheriff, to cause with all speed those *Priests* and their abettors to be apprehended, and safely sent to *Edinburgh*, yet not prescribing any certain day. The *Marquesse* took the Letters, neglected the service, and gave no account to the Council: whereupon they wrote a second letter, commanding him that the service be done by a precise day, and that himself appear also before them to answer the contempt. Notwithstanding all this, the *Marquesse* still neglected, and in stead of apprehending them, gave them notice to escape; but sent in the interim to the Council, craving a longer day. The Council would not grant it, but instantly caused the *Herald* in his coat of *Armes* to wind the *Horn* thrice, and at every time to summon the *Marquesse* and the *Earls*. None of which appearing, the *Herald* proclaimed them Rebels to the King and Kingdome. And while the Council was plotting to apprehend them, they took their flight for *England*.

The next moneth returned Sir *Henry Fane* from the *Hague*, his errand thither was to make a tender to the Lady *Elizabeth* from the

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the Emperour of thirty thousand pounds *per annum*, for her maintenance, and a place of habitation within the *Palatinate*, upon condition, she should send her eldest son to be educated in the Emperours Court, and to marry one of his *Daughters*: whereunto she (mistaking the message to be the Kings desire, which was but his bare proposall) magnanimously replied; *I do honour my Brother of England, as becomes me, yet he is but a man, and may fail me; God never forsook me yet, and I am confident never will. And rather then I would suffer my childe to be bred in Idolatry, I would cut his throat with mine own hand.* So erect a minde had she in her lowest state.

This Spring the *Queen* (some say frighted with some boysterousnesse of a mastiff towards her little dogs in the Presence chamber) not compleating her proper time of gestation; aborted of a son; yet having life in him, her Priests were wondrous earnest to baptize him, but the King stepping in prevented them, and charged Dr. *Web* to officiate, and name him *Charles*, he lived about an hour, and then expired.

About the same time also, the *Seigniory of Venice* by her Ambassadors was industrious to procure amity between the Crowns of *England* and *France*, and *Lewes* being in his *Trans-Alpine* expedition at *Susa* for the relief of *Casal*, they procured it model'd into these ensuing Articles.

1. That the two *Kings* shall accord to renew the former *Alliance* between the two *Crowns*, and to preserve it inviolable with free commerce. And in reference to the said commerce liberty is given that such things be proposed, as either part shall judge convenient either to add or diminish.

2. That considering it is very difficult to make restitution of what hath been taken as prize, as well on one side as the other, during the late wars; it is agreed between the two *Crowns*, that for what is past no satisfaction shall be demanded on either side.

3. As to the *Articles* and contract of marriage of the *Queen of Great Britain*, they shall be confirmed, and for what concerneth her *Demistiques* it shall be lawful to propose what shall be thought expedient to be either added or diminished.

4. All former *Alliances* shall stand good between the two *Crowns*, saving wherein they shall be changed by this present Treaty.

5. The two *Kings* being by this present Treaty remitted to the affection they formerly had, shall respectively employ this correspondence toward the assistance of their Allies (so far as the constitution of affairs, and the generall good will permit) for the procuring the repose of the troubles of *Christendom*.

6. The

6. The promises being established on both sides, Persons of eminency shall be reciprocally dispatcht as *Ambassadours* on either part for ratification of the accord, and for nomination of Agents ordinarily resident at either Court, for the better preserving this union.

7. And because many ships are now at Sea, with letters of Marque, who cannot suddenly take cognizance of this Peace, it is agreed that what shall occur in the nature of hostility for the space of two months on either side, shall not prejudice nor derogate from this agreement. Provided notwithstanding, that what shall be made prize of within that space of two months after signature, shall be restored on either side.

8. Lastly, the two *Kings* shall respectively sign the present *Articles*, the 14 of this present month of *April*, and at the same time they shall be consigned into the hands of the Lords *Ambassadours* of *Venice*, to deliver reciprocally to the two *Kings* at a day prefixt. And from the day of signing all acts of hostility shall cease, to which end Proclamation shall be issued out in both Kingdomes the 20. day of *May*.

Nothing was wanting now to the perfecting of this League, but the ultime and compleating act, the solemn confirmation by *Oath*. To which intent *Ambassadours* were sent on both sides the *September* following. From *England* Sir *Thomas Edmunds* Controller of the Kings house. From *France* the *Marquesse* of *Chasteau-neuf*, who had both of them reception agreeable to the merit of the design.

The King had all the reason in the world to bid peace welcome, for Martial affaires be they conducted by never so mature advice, or carryed on with never so gallant resolution, have yet a great dependence upon the arbitrament of Fortune; and Fortune the King had sadly felt, in the dispensation of victory ever lookt another way. Again he was sinew-shrunk, and wanted money the sinews of war, his Exchequer being profoundly dry, and one of the noblest and beneficial springs not obstructed but cut off. This his condition was observed abroad as well as at home; and by his enemies as well as friends, and his felicity it was that those enemies which observed it were in no capacity to make any other advantage of it then overtures of peace. And this was now the grand ambition of that ambitious *Monarch*, the *King* of *Spain*, who was by many late considerable misfortunes brought ridiculously (I had almost said pitifully) low. So low, as *Pasquin* posted him up in *Rome* in a Fryers habit, asking *Marforius*, whose picture that was? *Marforius* replied, *The King of Spains*. *Pasquin* demands the reason; Because, said *Marforius*, he had lately taken three vows upon him, One of Poverty, ever since the *Hollanders* took the *West-India Fleet*. The other of Obedience, since the

P

French

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Overtures of
a Peace with
Spain.

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Peter Reuben
the Spanish
Agent.

French with words and gestures only, made him quit Casal, and all Montferrat. And lastly of Chastity, when his grand Pimp the Conde de Olivares shall give him leave.

To sollicite this Peace, Peter Reuben the famous rich Painter of Antwerp, Secretary and Gentleman of the Chamber to the Archduchess, as Agent was transmitted hither, and bad very fair for it, tendering the restitution of the lower Palatinate, then which nothing was more magnetique and attractive, had the Spanish faith been as good as his gold: but that was reprobated all over the Western World; so as Marquesse Spinola being told of this prodigious offer, said, *The King of Spain may gild his design with what promises he please; but, sure I am, he meaneth nothing lesse then the restitution of the Palatinate.* Antecedent experience of the juggling practises of the Spaniard, did much retard the progresse of the League, and Reuben was not p'enipotentiary enough to accomplish that work, but it was reserved for a Don of more illustrious grandure, and he was not yet arrived.

In Trinity Term the Judges were much urged to declare their opinions concerning the demurrer of the Gentlemen Prisoners about the power of the Star-chamber; but that was a tender point, loth they were to displease the King, and as loth to blemish their reputation with prevaricating from the law, so that they feigned many an excuse and put off; at length the King being at Greenwich, sent for them all twelve; Mr. Attorney was turn-key, *pro tempore*, and let them in single at one door, and they went away at another. As they entred, one by one, the King commanded them to declare boldly without respect to fear or favour under their hands what they thought; seven of them, by name Richardson, Telverton, Hutton, Harvey, Crook, the Lord Chief Baron and Baron Denham, these offered to subscribe their opinions, That the Star-chamber had no jurisdiction over Parliament offences; the other five dissented, but refused to subscribe, whereat the King was exceeding wroth; and chid them soundly, as the betrayers of him to the belief of what was repugnant to the law.

Soon after the Term July the 10 towards night there happened a scurvy fray in Fleetstreet. For one Captain Bellingham, late at the Isle of Rhe, being that afternoon arrested, some Gentlemen of the Temple made an attempt towards his rescue so far, as some were hurt and carryed to prison: thereupon the Gentlemen of the Temple assembled, made a Barricado about St. Dunstons Church, which the Lord Mayor being informed of, he and the Sheriffs with a band of Train men, came down and made Proclamation, that upon pain of Rebellion the hole assembly should dissolve: but the Gentlemen prepared for resistance, and being armed with swords and pistols to the number of five or six hundred, they gave fire upon the Lord Mayors militia, kill'd

A fray in
Fleetstreet.

kill'd outright five, and wounded neer an hundred: the King was so highly incensed at the news of this uproar, as he presently sent for the Lord Chief Justice up to London, resolving to have a Session extraordinary for the arraignment of the malefactors; at which being held in Guild Hall about a Fortnight after, two Captains, *Ashurst*, and *Stamford*, (the Dukes servant and famous wrestler) were found guilty, condemned and executed at Tyburn. *Stamford's* Relatives made great means to the King for his life; but he said, *no, He murdered a Watchman before as Duke Humphries, for which he was pardoned, and having committed another, I will take order to prevent the third.*

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In the beginning of November the Earls of Bedford, Somerset, and Clare, Sir Robert Cotton, Mr. Selden, Mr. Saint-John and others were committed, and an information entred in the Star-chamber against them, for dispersing copies of a Discourse, being a *Rhapsody of Projects*, tending to the augmentation of the Kings revenue, and to discover an impertinence in Parliaments: It was pretended to have been penned for the instruction of the King, but it was a false suggestion, and discovered by Sir David Fowles upon Oath, that it was contrived about 1613. by Sir Robert Dudley at Florence, so that the Bill fell to the ground.

The Earles of Bedford and Somerset confined.

January the 1. Don Carlos de Colomas, now twice Ambassadour from Spain to England arrived, and had audience six dayes after at the Banqueting house; his deportment and mean was more debonair then usual, and therefore promised better of his Negotiation.

The pitcher that goes oft to the water, at length returns home crackt; and in Hillary term the Gentlemen Prisoners arguing their Plea by their Councel at the Kings-Bench-Bar against the power of that Court to question any thing done in Parliament, the Judges of the Kings Bench delivered their opinions positively, that their crimes were within the cognizance of the Court; For else, said they, should a Parliament man commit murder in time of Parliament, he cannot be tryed nor arraigned until a new Parliament; and for confirmation of their opinions they quoted many Precedents, especially that of Plowden in Queen Mary's time; who was fined in the Kings Bench for words spoke in Parliament against the Dignity of the Queen. Hereupon the Gentlemen had a time prefixt them to bring in their answer; but they making several defaults, sentence was pronounced against them, they being deeply fined, and confined until they should enter bond for their good behaviour; which some of them would never yeeld to, and ended their dayes in prison.

April the 10. dyed William Earl of Pembroke and Lord High Steward of England of an Apoplexy; the night before he supped with the Countesse of Bedford at Devonshire house without

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William Earl of Pembroke dyed.

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Bishops gate, very jocund he was at supper, especially rejoycing that the day before, being his Birth day, he had attained the age of fifty years, hoping now he should reach his Fathers account, who lived till sixty four, and to see many happy days. After supper he retired to *Baynards Castle* his house, where he sate up till midnight, and was very well: but after he had been a while in bed (his *Lady* by him) he fetcht a most profound groan, whereat she not being able to wake him, shrieked out for Company, who coming in, found him speechlesse, in which condition he remained till 8. next morning, and then dyed. It was said that Mr. *Allen* a Mathematician at *Oxford*, had calculated his Nativity many years before, and could not give any hopes of his life beyond his 50. year. He dyed intestate, and left of debts to pay eighty thousand pounds. He was scarce cold before the *Earl of Arundel* begg'd the custody of his Countesse, upon pretence that she was not *mentis compos*, and crackt in her brain; and because his son the Lord *Maltravers* was her next heir in right of his mother, sister and coheir with her and the Countesse of *Kent*, all three being the inheretresses of the *Earl of Shrewsbury's* Estate. But her affection stood more enclined to her Brother the *Earl of Montgomery*, and therefore the King granted him the disposition of her.

H's Character.

He was the very picture and vive effigies of Nobility; His person rather Majestique, then elegant; his presence whether quiet, or in motion, full of stately gravity; his minde generous and purely heroique, often stout, but never disloyal; so vehement an opponent of the *Spaniard*, as when that *Match* fell under consideration, he would sometimes rouze to the reprobation of King *James*, yet kept in favour still; for that King knew plain dealing as a jewel in all men, so was in a Privy Counteller an Ornamental duty; and the same true heartednesse commended him to King *Charles*, with whom he kept a most admirable correspondence, and yet stood the firm Confident of the Commonalty, and not by a sneaking cunning, but by an erect and generous prudence, such as rendred him unsuspected of ambition on the one side, as of faction on the other. This universality of affection made his losse most deplorable. But men are lost when all turns to forgotten dust. That affection would not that he should be non-plust so, but kept his Noble fame emergent and aloft: and if this History shall help to bear it up, I shall think it not more his felicity then mine own.

This Spring the Royal Stemme germinated and put forth another gemme, the Queen being delivered *May* the 29. of her second Son, not living only, but lively; surpassing exultation there was thereat, and all the Court kept Jubilo; all the great ones both *Lords* and *Ladies* went now on, Maying to *St. Jameses* to see the Royal blessing and hope of *England*. *June* the 27. he was in most

most refulgent pomp carryed to the sacred Font, and named *Charles*. God-fathers and Witnesses were the King of *France*, and the Prince *Elect*or, represented by the Duke of *Lennox*, and *Marquesse Hamilton*: of the other sex the *Queen Mother of France*, whose substitute was the *Duchesse of Richmond*.

In the mean time the King was in contemplation with his brother the *Paltzgrave's* pressures, and how to relieve him; and because he gave but slender credit to the *Spanish* promises, and had intelligence of a Diet and general Assembly to be kept at *Ratisbone* this Summer, he sent over Sir *Robert Anstruther* in the quality of an Ambassador, who arriving there, and being admitted to audience before the Emperor and Estates of *Germany*, he delivered his message to this effect.

That nothing did affect his Master the King of Great Britain more, then the consiactation of the daily calamities undergone by his Brother the Prince Elector, his Wife and Children; that he deemed no place more expedient where to treat of their reconciliation, and re-establishment then in this Diet; therefore he made it his most ardent request to his Imperial Majesty, that having regard to the many intercessions of his late Father, and other Kings and Princes, he would remit the displeasure conceived against his Brother, and recal the proscription issued out against him. True it is, his Brother had offended, and was inexcusably guilty, (unlesse the rashnesse and precipitation of youth may somewhat plead for him): but others had been as culpable as he, whom yet his Imperial Majesty received into grace and favour, and would he be pleased to extend to him the same clemency, it would oblige his Master to demonstrations of deepest gratitude, and raise a glorious emulation in others to imitate so Majestique a pattern. That the Paltzgrave would entertain this favour with an heart so firmly devoted to his service, as all the intention of his Spirit should be disposed to compensation and reparation of his by-past miscarriages: That his Master held nothing so dear, as the affection of his Imperial Majesty, and establishment of a durable peace between them. And as upon all occasions he hath been forward to represent himself solicitous of it, so at this time he is ready to give more ample Testimony, if his Imperial Majesty be pleased to incline to a Treaty.

The Emperor and Estates gave Sir *Robert* fair respect, but as to his message returned answer, that the present affairs of *Germany*, which called them thither, were of that important concernment, as they would not admit of any forain debate; but when leisure served, the King his Master should have such satisfaction as would be agreeable to their honour, and they hoped to his content. Thus the Ambassador returned *reinfected*.

Leighton a fiery Scot this year was met with, his *Sions Plea* brought

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An Embassa-
dor sent into
Germany.

Ann. Ch. i. 111

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Leighton a
Scot censured.Peace between
England and
Spain.The Tax of
Knighthood.

brought him to stand in need of the *Balme of Gilead*. That wilde *Pamphlet* was wrote during the late Parliament, and to them dedicated; in that he excited the Parliament and people to kill all the Bishops, and to smite them under the fifth rib; he inveighed against the *Queen*, calling her the Daughter of *Heath*, a *Canaanite*, and Idolatresse. For these and other seditious passages, he was sentenced in the *Stat-Chamber* to have his ears cropt, his nose slit, his forehead stigmatized, and to be whipped. But between sentence and execution, he made an escape out of the *Fleer*, but by good hap to the *Warden*, was re-taken in *Bed'ordshire* and underwent the punishment.

Now began we and *Spain* to cement again, the peace being driven to the head, and fully compleated, the Articles were precisely the same with those concluded formerly between King *James* and *Philip* the third, and for the *Palatinate*, no further engagement, but only, that the *King of Spain* should dispose of all his interest in the *Emperour* towards the restitution of his Brother the Prince Elector. But it was a Peace, and though not in all points fully adequate to the Kings content, yet readily embraced because he was not then in state to better it. But though the Peace was none of the best, yet was the solemnity in publication thereof none of the least, yea not inferiour to others of much higher avails.

On *Sunday, November* the 27. it was by the hole Colledge of *Heralds* mounted on horseback, in their rich *Surcoats*, proclaimed both at *White-hall Gate*, and in *Pauls Churchyard*, and at *Cheapside Crosse*, the Lord *Mayor* with his confraternity of *Aldermen* also mounted, and in their *Scarlets*. On *Tuesday* the *King* and the *Spanish Ambassador* descended into the Chappell, continuing in their traverses untill an *Ambhyme* was sung. Then the *Bishop of London* (*Laud*) as *Dean* of the Chappell, attended by three other Bishops, all in their *Copes*, ascended up to the *Altar* with a *Latine Bible* in his hand. Then the *King* and *Ambassador* issuing out of the *Traverses*, the *King* laid his hand on the *Book*, whilst Secretary *Coke* read the *Oath*; and that done, he kist it, signing withall the Articles of the Peace, which he delivered up to the *Spanish Ambassador*. After this they all went up to the Banqueting house, where a most princely and sumptuous dinner was provided for them.

But the Subject paid the reckning. For his Majesty being stimulated with want and disgusting Parliaments was enforced to call in the aid of his Prerogative.

There was, it seems, an old skulking statute long since out of use, though not out of force, which enjoined all subjects, who had not some special privilege, to appear at the Coronation of every *King*, *ad arma gerenda*, to bear armes (not to be made Knights

The Reign of King Charles.

III

Knights, as was vulgarly supposed) that is, to present themselves before the *Lord High Chamberlain*, who (if the Kings service so required) was to deliver to every man a *Belt* and *Sur-coat* out of the *Kings Wardrobe*; and if, upon four daies attendance, they were not employed, they might depart to their severall homes. But they who were guilty of default and made no appearance, were to submit to fine. This was now the case of the almost whole Kingdome; whereupon *November* last, Commissions were issued to all the Sheriffes throughout *England* to return the names of all such persons who had estates liable to make fine. And upon this account was brought into the *Exchequer*, an entrado of at least One hundred thousand pounds.

This peace between *England* and *Spain* begat a war in *England* and *Ireland* between *Spain* and *France*, I mean between the *Jesuites*, who are the protest clientelaries and vassals of the *Catholic King*, and the *secular Priests*, men more addicted to the King of *France*: the radix and ground of this contest was this.

The Papacy having in *England* and *Ireland* her emissaries for the planting of a Gospel which *Christ* nor his *Apostles* never dreamt of, expedient it was thought both for the ordaining of Priests, and confirmation of persons baptized, that a *Bishop* should be sent amongst them; to which purpose Pope *Gregory* the 15 delegated one *William Bishop*, entituled the Bishop of *Chalcedon*. Anno 1624 *Bishop* died, after him succeeded by mission from *Urban* the 8, anno 1625, *Richard Smith* with the same title; *Smith* was a busie fellow, and took upon him more then *Bishop*, for he arrogated to himself the approbation of such regular Priests as were to be standing *Confessors*; which the *Jesuites* thought an usurpation upon their Jurisdiction, whereupon a conspiracy is entered to dispatch him hence, a Declaration is contrived under the name of the most *Noble* and *eminent Catholics* against his pretended authority, withall asserting all sufficient power in the *Regulars* to all those intents, and the no-necessity of having any Bishop at all. This Declaration in the nick of his departure hence, for *Spain*, to prevent more satisfactory informations, was offered to the *Spanish Ambassador Don Carlos de Coloma*. And the Bishop so persecuted by the *Jesuites*, as finding himself in no capacity of standing an open contest by reason of his skulking condition, caused through the *Kings* Proclamation against him, he was enforced to seek his safety abroad, and escaped into *France*. *Smith* thus frightened away from his charge, one *Kellison* Rector of the College of *Doway*, in a Tract vindicates the authority and divine right of Episcopacy; but *Knott*, Vice-provincial of the *English Jesuites*, and *Flood*, another *Jesuite* of *St. Omers*, undertook *Kellisons* confutation, and their Books were no sooner extant

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The Jesuites
and secular
Priests at
odds.

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extant, but being discuss'd by the College of *Sorbon*, were by the Faculty of *Paris* censured and condemned. But the Controversie slept not so, but was reciprocated and bandied from one side to another *in infinitum*, as you may read at large in *Aurelius*.

Nor was this bickering the only product of our peace, but the Romish Catholiques began to rant it in *Ireland*, and to exercise their fancies called Religion so publickely, as if they had gained a Toleration. For whilest the *Lords Justices* were at Church in *Dublin*, they were celebrating Masse, which the *Lords Justices* taking notice of, they sent the *Arch-bishop* of *Dublin*, the *Mayor*, *Sheriffes*, and *Recorder* of the town to apprehend them; which they did, taking away the Crucifixes, Chalice, and Paraments of the *Altar*, the Souldiers hewing down the Image of *St. Francis*. The *Priests* and *Friers* were delivered into the hands of the Pursuivants, at whom the people threw stones and rescued them. The *Lords Justices* informed of this, sent a guard and delivered them, and clapt eight Popish Aldermen by the heels for not attending their *Mayor*. Upon the account of this presumption, fifteen houses were seized to the *Kings* use, and the *Friers* and *Priests* so persecuted, as two hanged themselves in their own defence.

This winter the Marquess *Hamilton* was very active in mustering up his Forces for the *King* of *Sweden*'s assistance against the next Spring, and the *King* hastned him to dispatch his levy with all the speed he could, in regard he had fresh and certain intelligence of a very great victory that *King* had lately obtained against the Imperialists; *Tilly*, it seemes, conducted a numerous Army of Thirty three thousand Foot, and seven hundred Horse for the relief of *Rosstock*, then besieged by the *King* of *Sweden*: the *King* alarum'd at his coming, drew out of his trenches Seventeen thousand Foot and Six hundred Horse to entertain him. The first encounter was sharp, and cost the *King* above a thousand men; whereat the *King* fired with gallant courage, came undauntedly up to the Count, and gave him so terrible a shock, as made his Vantguard to brandle, disordered both Barail and Rere, routed all the *Imperial* Army, slew Three thousand on the place, took Sixteen Pieces of Ordinance, Thirty Ensignes, Thirty two Cornets of Horse; and immediately stormed the Town and carried it.

For the encouragement of the Marquess in this expedition, the *King* gave him the impost upon the Wines in *Scotland*, which would amount to Twenty thousand pounds *per annum*; and as a great part of their maintenance was to be derived from *Scotland*, so were the Auxiliaries themselves to consist for the most part of that Nation. For the *King* of *Sweden* had by experience found

found them not unlike his *Fin-landers*, both stout and hardy: while these forces were raising, a *Scot*, then in the *Swedish* service asked the *King* how his Countrey-men should be maintained. *How are the Emperors Souldiers*, said he, *maintained?* With money, answered the *Scot*. *If then*, quoth the *King*, *your Steel be better then theirs, their money will be yours, if it be not better, why will your Countrey-men crosse the Seas to be beaten in Germany?*

Now I am abroad, before I recall my discourse home, permit a short transition to the enemies quarters, and there to take in an odde accident which soon after befell, and is relative to the affairs of *England*. Eighteen *Hollanders* (whereof three had been actours in the *English* Tragedy at *Amboyna*) supping at *Frankfort*, as they were passing to *Strasburgh*, boasted in their cups, what they had done to our nation in that *Iland*, which one in their company observing, related it to two *English* Captains of horse then in service of the *Emperour*, and two of whose kindred suffered there. These two *Captains* having notice which way the *Hollanders* were to passe, way-laid them in a wood with a Troop of Horse, and having met them, bad them *stand*; that done, willed them to prepare for death, for dye they must: the *Hollanders* replied, *they hoped not so, for all their money was at their dispose*. We seek not your money, said the two *Captains*, but your lives, and will now be revenged for those barbarous torments three of this your company put our Countrey-men and allies to at *Amboyna*; and had we leisure, we would serve you so too. First, they hung up *Fohnson* the chief of the *Amboynists*, and made the other seventeen cast the dice which of them should escape to carry intelligence into *Holland*. The fifteen guiltlesse persons thought this hard measure, and hoped they would not punish them for others faults: but the Gentlemen pleaded, *legem talionis*, and that they might as well hang them, as their Countreymen were butchered at *Amboyna* without cause. So without further endictment they hang'd up sixteen; and sent the odde man home. Some satisfaction, but, though almost two for one; not equiparate to the merit of that nations cruelty: these seventeen had a mercifull and quick dispatch; our ten at *Amboyna*, the ingenious Devils did so exquisitely torture, as the poor Patients had nothing but clear consciences to make them believe they felt not hell above ground.

In *March* Mr. *Montague* was sent over to negotiate the payment of the moiety of the *Queens Portion* (being Four hundred thousand Crowns) behinde, and to require satisfaction for two rich Ships taken from us by the *French*, since the last peace concluded; and with him, as the better Accountant, was sent the great Merchant *Philip Burlamachi*. The *King of France* returned this

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Amboyna massacre in part
revenged.

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The Earl of
Essex his se-
cond marri-
age.

this answer, *Let my Brother of England render up the Fort of Kebeck, and then he shall have satisfaction to his content.* Kebeck is a Fort upon the river of *Canada* in the North part of *America*, and was taken by Captain *Kirk* two years before, and garrisoned with *English* under the Command of his Brother; it is the prime staple for *Beavers* and *Otters* in the hole world, and worth usually at least thirty thousand pound a year. But our King prefer'd fair amity before litigious emolument, and yeelding up the Fort, had his full and just demands.

About 18. years since the *Earl of Essex* was separated (by a most just sentence of *Nullity* executed by Commission under the great Seal of *England*) from the Lady *Frances Howard*. True it is, that *Countesse* was of a very lewd report, and full of fire, as the *Earl* of ice, nor will I undertake to vindicate from indirect and unjustifiable practises, the scrutiny of her Virginity. But judgement must proceed according to the tenor of allegations and proofs, and as the Jury of Midwives declared her to be an untouched Virgin, so did the *Earl* himself confesse that (though he had often attempted it) *he never could, and beleev'd never should carnally know her.* Whereupon the Commissioners pronounced a Divorce between them. Upon this definitive sentence of the Bishops, a late compiler of *Great Britains* History, abetting popular error, hath cast some odious glances, not knowing that *Geneva* her self had done the like before in the case of the *Marquesse of Vico* and others. But that Author was this Earles creature, and pleading his Masters cause, assumed the greater liberty. The *Earl* and his *Countesse* thus parted, to shun the shame of impotency at home over he goes to the Low Countries, disciplines himself there in Martiall exercises, behaves himself both there and in the *Palatinate* with gallant resolution, and became of high renown for feats of Arms. Having given these undeniable proofs of his manhood, he was ambitious to give some of his virility, and having been a while in *England*, solicited the affection of *Mrs. Elizabeth Paulet*, (daughter of *Sir William Paulet* of *Wiltshire*, and extracted from the Noble line of the *Marquesse of Winchester*) obtained it, and on *March* the 11. of this present year, consummated Nuptials with her at *Nerly*, the *Earl of Hartfords* house. With this Lady he did a while cohabit, and it was but a while, becoming soon unhappy in his second, as in his first choice; for he could as little digest her over much familiarity with *Mr. Udal*, as his former Ladies with the *Earl of Somerset*. But happy it had been (in all probability) not lesse for King *Charles* then this *Earl*, had either his Ladies found fewer, or he more friends at Court, and that his dishonour had been there resented agreeable to his extraction: for though (as some suppose) he laboured of an immedicable and invincible impotency as to conjugal concernments, yet to others he had animosity enough, and when we shall after-

ward

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The Lord
Audley ar-
raigned.

ward behold in the head of a numerous Army, giving this *King* battail in a pitch field, it may well be conjectured, that his then engagement was in part upon the score of these indignities, which he charged upon former account.

I am now entred upon the year 1631. remarkable for the trial of *Mervin Lord Audley, Earl of Castle-haven*, which I could for the honor of Christianity, for the honor of Nobility, for the honor of our Nation, yea for the honor of our Nature, even manhood it self, that the story of so much filth might be swept into the channel of Oblivion. But offences so prodigiously high, as his, we may not so stride over; contract they doe a penalty too vital for one *Scaffold* to determine, *History* must erect another for him, wherein he may ever suffer in what is extant of him, his posthume Fame, the souls most considerable relief on earth, in whose Proxy she is happy or miserable to all posterity.

This *Earl* married to his second wife, the daughter of the old Countesse of *Derby*, and widow of the Lord *Shandos*, by whom she had a daughter married to the Lord *Audley the Earls* son. He was committed in *December* last, upon an accusation of such a racemation and cluster of abominations, as were never heard of before. First, for causing one *Skipwith* his *Ganymede*, (son to a maker of *Ulsque* bath in *Ireland*) and advanced by the *Earls* villany, (for it were a shame to call it bounty) to an estate of near a thousand pounds *per annum*, to ravish the Countesse, himself assisting: next, for procuring the same *Skipwith* and others to cuckold his son, by lying with his Lady in the presence of the *Earl*. Lastly, for acting *Sodomy* both upon *Skipwith* and others. After all these hellish deeds, some Lords expostulating with him in prison his motives to them; with an impudence suitable to his lewdnesse, he told them: *As others had their several delights, some in one thing, some in another, so his hole delight was in damning souls, by enticing men to such acts as might surely effect it:* For these offences he was endited at *Salisbury*, and there found guilty by the Grand Enquest, whereupon he was transmitted to the *Kings-bench-Bar*.

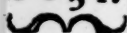
His *Arraignment* there was *April* the 25. of this present year. *Thomas Lord Coventry* (being for that day constituted *Lord High Steward of England*) brought the Commission into the Court, where after an *Oyes* made by the Serjant at Arms, he gave it to *Sir Thomas Fanshaw* Clerk of the *Crown* to read, who read it, and then the huiher of the *Black rod* kneeling down to the *Lord High Steward*, presented him with a white rod, the staffe of his Office. His seat was a chair of State, and underneath him sate the Peers, in number twenty six, *viz.* the *Lord Treasurer*, the *Lord Privy Seal*, the *Earls of Arundel, Pembroke, Kent, Worcester, Bedford, Essex, Dorset, Salisbury, Leicester, Warwick, Carlile, Holland,*

Q 2

Bark-

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Barkshire, Denbigh; the Vicounts, Wimbleton, Conway, Dorchester, Wentworth; the Barons, Percy, Strange, Clifford, Peters, North, Goring. And beneath the Nobility sat the Judges assistants. The Commission read, and Oyes made, the Lord High Steward gave leave to the Peers to be covered, and then they were called over by their names, to which every one gave a particular answer. Then the Lieutenant of the Tower brought the Prisoner forth to the Bar, to whom the Lord High Steward declared the cause of his being brought thither. His indictment was read by Sir Thomas Fanshaw, who asked him whether he were guilty, or not guilty. The Lord Audley replied, Not guilty. Sir Thomas then demanded, How wilt thou be try'd? the Lord Audley reply'd, By God and my Peers. Then the Lord High Steward, addressing himself to the Peers, said;

The Prisoner is indicted of Rape and Sodomy, to which he hath pleaded not guilty; My duty it is to charge you with the Tryal of him, yours to judge. The cause may move in some pity, in others detestation, neither of which ought to be put in the scale, for a grain on either side may sway the Ballance. But Reason must rule your affections, and your heads, your hearts. You are to give attentive heed, and weigh equally, that the scale may incline the right way. The Judges will assist you in points of Law, whereof if doubts arise, you are to propound them to me, and I to them: Thus your Lordships are to proceed without Corporal Oath, for the Law supposeth you of such integrity, as you will doe that for Justice, that others are compelled to by their Oathes. And so God direct you in it.

After the Lord High Steward had ended, the Attorney General spake vehemently in aggravation of the crimes whereof the Prisoner was impeach't; then the witnesses were produced, and the Evidence upon Examination was found summarily this;

That the first or second night after marriage, the Lord and Lady being in bed together, he told her, *That her body now was his, and that if she lay with any by his consent, the fault would be his, not hers.* That Broadway by his command forcibly lay with her, whilst the Lord assisted him in holding her. This was proved by the testimony of the Lady her self the Defendant, and Broadway the assailant. The Sodomy was proved by Broadway and Fits Patrick on whom it was acted. These were the main and capital offences; of lesse hainous nature in the eye of the Law,

was

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was his oft perswading *Shipnith* to act villany with the young *Lady*, whom he kept so short of maintenance, as she had no means but what *Shipnith* gave her, and that during *Shipniths* lewdness with her, he called up divers servants to behold them, he himself much delighting therein. This was proved by the testimony of the young *Lady* herself, *Shipnith*, and four or five more.

To these the *Earl* pleaded, that his wife had been bad before, and so no competent witness against him. Then the Lord *High Steward* asked the Judges whether one may ravish a woman of ill fame? Who reply'd, An Whore may be ravish'd, and it is felony to doe it.

Then the Lords withdrew to consider of the evidence, and being returned, the Lord *High Steward* demanded their several suffrages, who all, one by one pronounced him guilty of the *Rape*, and fifteen of *Sodomy*: which verdict being brought in, the Lord *High Steward* delivered sentence of death against him in these words;

For as much as thou Mervin Lord Audley; hast been endicted of divers felonious crimes, for which thou didst desire to be try'd by God and thy Peers, which Tryal thou hast had, and they have found the guilty of them: Thy sentence is therefore, that thou return from hence to the place from whence thou camest, and from thence to the place of Execution, and there to hang by the neck till thou be dead. And the Lord have mercy on thy soul.

This doom being past upon him, the Court arose, and the Lord was remanded to the Tower, where he continued close prisoner till May 14. being the day of his Execution, when being brought to *Tower-hill*, he ascended the *Scaffold*, (waited on by his two Chaplains, Dr. *Winiff* Dean of *Pauls*, and Dr. *Wickham*) and made a short Confession, declaring himself many ways worthy of death, but solemnly protesting his innocency in those two faults whereof he stood condemned. His confession ended, he resorted to his prayers, after which bidding farewell to all the Spectators, and forgiving the Executioner, he yielded his head to decussation, to the striking off, which was performed dextrously, and at one blow.

One thing I offer as observable, and from mine autopsy, myself beholding, that having preserved his countenance all the while before in one constant tenor, he no sooner did address himself for the stroke of death, but his hands and face were in a moment overshadowed with such a swarthy metamorphosis,

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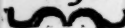
Found guilty,

And condemned.

His execution.

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A remarque
upon his of-
fence.

as neer resembled smoke-dryed Bacon. The like befell (as I was credibly informed) to one of noble eminency, whom Justice pursued to the like end, for a different offence, during these civil wars, as shall (God willing) take place in the sequel of this Narration.

Thus dyed this titular piece of Nobility, like a bad Actor hift off the stage, of few lamented, for of few beloved.

Now we have done with the Malefactor, we will next arraign the Fact it self, I mean that transcendent one the *Rape*; it being of so horrid and hideous a quality. For, whereas all other sins are the dictates of sensual pleasure or profit, and have their feminalities within the bed of natural corruption, this was a sin which even depraved nature would not own, as having no incentives to it, a sin whereunto the Devill himself seemed not accessary, a sin without temptation, a *Rape* without concupiscence, an abomination whose every grison and step should we climbe, we shall not be able in the hole Repertory of Fame to finde its parallel. Some have made rude sallies upon female chastity, but it hath been to sate and allay the boiling extimulations of their own, rarely of others lusts. Possibly some, with whom to serve hath been to subsist, have been adjutants to their Masters in actions of like detestation, but who ever heard the practise counterchanged, or a Master voluntarily to officiate to his servant in a deed so execrable? Had it been acted upon a stranger it had been bad sufficiently, upon an acquaintance much worse, upon an ally worse still, (as super-inducting *Incest* with *Rape*) but to perpetrate it upon her, whom the sacred ties of Wedlock had consigned up to him in the highest notion of dearness, for a man to commit a *Rape* upon himself, (for so she was in truth) certainly there never was a sin of so odde and impartial a genius. Nor did the person on whom it was acted render the impiety more odious, then the mode and way of doing it: for whereas nature it self, in acts of such uncleanness, (even between married couples, who have the highest dispensations) declineth insolation and open view, this villany was acted as upon a common Theater, as if all the delight had been in the Spectacle, and all the pleasure in the Ostentation. So that in short (all circumstances spell'd together) I may safely say it was a sin without Precedent of former ages, and which I hope posterity will never copy out.

Broadway and
Fitz Patrick
arraigned.

June the 27 following, Mr. Broadway and Fitz Patrick, servants to, and concriminaries with the Lord Audley, were produced to trial at the Kings-bench-Barre, and partly upon the evidence formerly given in by the Countesse, and re-avowed then by her, and partly upon their own confessions, were found guilty, the one of *Rape*, the other of *Sodomy*, and had sentence of death pronounced against them, and were executed at Tiburn July 6.

Fitz

Fitz Patrick in his last speech at the Gallows reflected actively upon the Earl of *Dorset* as the beguiler of him into his destruction; because, upon his examination before the Lords, the Earl promised in the name of the whole board, that whosoever he gave in evidence against his Lord, should no waies prejudice himself, which moved him to declare his Lord guilty of *Sodomy*, and that the testimony he then gave against his Lord, was now the main cause of his own condemnation. As to the matter of fact for which the Lord suffered, he much lamented his Lord should dye in protestation of his innocence, for he professed the Lord was guilty of both those crimes for which he dyed. Much time he spent in addresses to the Virgin *Mary* and the Saints, and ended his life in the *Romish* perswasion.

Mr. Broadwaies confession was very ingenuous, Christian, and sincere; much blame he laid upon the Countesse as a woman of infamous conversation, and much upon himself for his dissoluteness, for which in the most significant gestures of contrition he craved pardon from God, and dyed in much assurance of it.

In the same moneth of *May* wherein this Monster-Lord was sentenced, *Sir Giles Allington* fell also under censure for a sin of grand, though under-graduate abomination. This Knight (in other things a Gentleman of much honour) had against the advice of the *Arch-bishop* and other venerable Divines, married his own Neece, the daughter of *Mr. Dalton*, for which incestuous match he was questioned in the *High Commission*, with whom he tugg'd hard, and being a man of great estate, resolv'd he was to spare no cost which might be serviceable to quit him. First, his Advocates pleaded it was not within the Levitical interdict, where the marriage of the Nephew with the Aunt is forbidden, but not of the Uncle with the Neece; and when the same parity of reason was urged, *Bellarmines No* was produced, because, saith he, *The first everteeth the natural subjection due from a Nephew to his Aunt, who must be his underling by the duty of a wife; whereas if a Neece doth marry her Uncle the natural subjection is rather doubled, then destroyed.* But these arguments were rather delatory pastimes, then just evasions. *Sir Giles* his best refuge was to the Common Pleas, from whence he obtained two Rules; one, requiring the *High Commissioners* to shew cause why a Prohibition should not be granted. The other intimating, that if in the interim they proceed further, a Prohibition should be granted: which so incensed the *High Commissioners*, as they sent instantly to acquaint the King therewith, who gave present order to the Lord Keeper to let the Judges know he did much distast such proceedings, whereupon the *Common Pleas* desisted from further interruption; and it was well they did, for the Bishop of *London* grew so high in passion, as he said he would move the Lord of *Canter-*

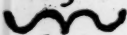
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Sir Giles Allington censured in the High Commission.

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Canterbury to excommunicate all the Judges within his Province who should dare to act in such a Prohibition, and in case the Archbishop would not, he was resolved to do it in his Diocese, and denounce it himself in St. Pauls and other Churches.

Sir Giles thus stript of all Common Law protection, became the full But to receive the keen arrowes of a provoked Court, eight Bishops, and four other Commissioners were his Judges, and his sentence; *Fine to the King Twelve thousand pounds to stand obliged in the penalty of Twenty thousand pounds never to co-habit or to come into private company with his Neece any more: to be committed to prison, or put in sufficient bail till both he and his Neece or Lady shall have done penance at Pauls Crosse, and at Great St. Maries in Cambridge at a day enjoyned by the Court.* Never was Delinquent censured there by a more solemn and venerable Consistory. Many spake excellent well; but Sir Henry Martin, whose custome it was before to outgo others, did then surpass himself.

The Court afforded little remarkable this year, save only that the *Queen Nov.* the 4. was delivered of her eldest Daughter, the Lady Mary.

The Kings thoughts were most abroad; and imployment those thoughts could not want, whilest his brother the *Palatizgrave* wanted his patrimony; and though he was almost at the point of desperation, as to prevailing with the *Emperour* by precarious applications, yet did he resolve once more to re-enforce his former instances: to which effect he dispatht Sir Robert Anstruther again as Ambassador to him. But the *Emperour* being not high enough to deny, nor low enough to grant, kept his old posture of procrastination: whereof our King having advice from his Ambassador, intending patiently to wait untill new emergences should occasion new counsels, gave him order still to attend and pursue his former instructions, untill he should receive others.

In the mean time *Gustavus King of Sweden*, in the way of whose conquest nothing could stand, with a victorious sword made a furious inrode into *Germany*, the restauration of whose liberties he made the design of that hostile incurfion. And as the Prince *Elector* bare the greatest share in the oppression, so had he the fairest hopes of tasting the fruit of those conquests, especially considering both that now that King began to be master of the field even in the *Palatinate*, the late and ancient patrimony of that Prince; and also how solicitous a zealot his Brother our King was in his concernment; for as in promotion of that great enterprife he had this summer sent over an aid of Six thousand Foot with Three hundred thousand Dollars to the King of *Sweden* under the conduct of the Marquesse *Hamilton*, so did he also in the spring of the next year dispatch an Ambassador to him

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him, praying the Restauration of the *Paltz-grave*. But the King of *Sweden*, (whether because he had prospered to an autocracy a self-subsistence, and so needed no participants either in the hazard, or glory of the atchievement; or upon what other account, uncertain) neither entertained, nor imployed the *Scots* with that respect as was expected, most of them never encountering any enemy but those two fierce ones, *Plague* and *Famine*. Again, he set at first so high a rate upon what was sued for, as rendred it not worth acceptance upon such harsh tearms: For he demanded from the Prince,

First, *That he should enter Recognizance, of holding his Countrey as a Donative of that King, and consequently should repute himself as his Beneficiary and Vassal.*

Secondly, *That he should make no Martial Levies without his liking.*

Thirdly, *That he should, during those Wars, furnish him with so many thousands upon his own pay; more indeed then his desolate countrey could maintain.*

Fourthly, *That two of his Head Towns should be left to the King as Cautionaries for performing of Covenants, which should be made presidary and Garisons to be maintained by the contribution of the Countrey.*

Fifthly, *That he should make no League nor Article with any other Prince, his consent not first had.*

These proposals were lookt upon by the Prince, rather as conditions tendred by a Conqueror to a vanquisht Foe, then acts of Grace to a distressed friend, nor did they answer that ambitious title of the *LIBERATOR* and *DELIVERER* of *GERMANY*, to which that King pretended, with so intense a passion.

The *Paltz-grave* therefore loth to change his Lord only, and retain his old servitude, rejected these tearms as dishonorable, which being also resented as such by the Agents of *France*, and the *united Provinces*, and so represented to the King, he condescended to others of a more lenitive temper. But Heaven was no party to those transactions, for when all things were even upon the point of signing, the supreme Disposer of all things signed a fatal countermand, giving a sudden stop to that brave *Heroe* in the full career of all his triumphs, by a death, natural to him as a Souldier, though violent as a Man: This dyfaster happened at that memorable battel at *Lutzen*, *Novemb. 6.* where the King being too adventurously engaged in the thickest of his Troops, was slain by an hand, yea by a party, (whether his own or the enemies) uncertain. But that blow was not more fatal to himself, then to his adversaries, for no sooner did the noyse of the fall overspread his Army, but they redoubled their Martial fury, and consequently their blows, hewing down their stiffe opponents with so gallant

R

courage,

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The King of Sweden slain at Lutzen.

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Et clarior
quod adole-
scens in incre-
mento rerum
nondum alte-
ram fortu-
nam experius
decessit. Liv. 8.
c. 77.

The Prince
Elector dyeth.

courage, as they went off Victors with a vengeance, leaving dead on the place six thousand men.

This was the end of that renowned *King*, for sprightly metal the *Cesar*, for successe the *Alexander* of this Age, to whom we may apply what the Historian said of that *Macedonian* Prince. *He was the more famous, because he was cut off in his youth, and in the growth of his prosperity, before fortune had ever forsaken him, or shewed him her averse.*

Gustavus being thus taken away, the Prince *Elector* his Participant in his best Fortune would needs also be concomitant in his worst, and was at the same time I may say (not improperly) slain, he receiving his death's wound thence, though not there. He had some few days before taken the infection at *Mentz*, being newly returned from visiting his Ally the Duke of *Denx-Ponts*; and was in an hopeful way of recovery, when news was brought him of the *King of Swedens* death, which he re-sented with so intense a passion, as he dyed the 29. of the same moneth. Nor could the restitution of *Franckendal* (the fairest flower of his Garland) bear up his Spirit from desponding and overwhelming with grief. For that Town having been so long, and so close begirt by the *Swedes*, as it was reduced to a necessity of yeelding. And the *Emperour* and the *King of Spain* (aiming to convert that necessity into a favour, and to pick a thank from *England*, whose Ambassadors still ply'd his instances at the *Imperial Court*) rendered it up into the hands of the *English* Officers the 21. of that instant, being eight days before the *Prince* expired, so that he lived to know himself in part restored, though sorrow had so imbittered all relish of earthly joy, as his spirit was not susceptible of any other then doleful impressions.

The Earl of
Leicester Am-
bassadour into
Denmark.

The same year our *King* also dispatcht the Earl of *Leicester* to the *King of Denmark* his *Vncle*; the most considerable design of his Embassie was to condole the late decease of his Grandmother the Lady *Sophia* Queen Dowager of *Denmark*; and to demand the dividend of a sixth part of what she left as due to him, and the Lady *Elizabeth* in right of *Queen Anne* their Mother; for by the Fundamental Law of that Kingdome all children, of whatsoever sex, inherit equal shares, allotting only to the eldest a double portion. The part due to our *King* and his Sister amounted to an hundred and fifty thousand pounds, which that *King* promised to satisfie as soon as monies came in, but withall intimated that he desired to re-minde his Nephew of *England* of what he was in arrear of the thirty thousand pounds *per mensem*, which was due to him from the *Crown of England*, upon the contract made 1625. towards the support of his Army, so that the *Earl* finding the intrado of his Negotiation like to come to nothing, having condoled, that is, after the *Danish* mode, made merry with that *King*, returned home.

This

This year the Protestants and *English* Plantators in *Ireland*, began to grow into some discontent: The *Papists*, especially the *Romish Clergie*, encreased excessively, to neer double the number of Reformed Beleevers, and became so insolent as openly to erect an University in *Dublin*, in emulation, or rather in defiance of the *Kings College* there: so that they had reason to fear sad effects of their potency. Again, the *King* finding the *Romish* Catholics in that Kingdome so numerous, so ignorant, and with all so poor, he thought fit for a while to dispense with the penalty of the statute of twelve pence *per* Sunday for absence from the Church, especially being somewhat irritated by what was suggested to him (though untruly) that writs were issued out for levying those fines, before the quarterly contribution of five thousand pounds granted by the Countrey for maintenance of the *Army* was expired, which (had it been so) might have proved of dangerous consequence. This act of Grace as it elevated the pride of the Recusants, so it found amongst the Protestants a most displeasing resentment: which was not a little amplified by their great oppression, by an odious Papist Under-sheriff his unequal levying the last Contribution. These distempers made for, and in a manner made the Lord Vicount *Wentworth*; for whereas the Politique administration of that Kingdome was then entrusted to many, under the notion of Lords Justices with their Council, the King was perswaded that those humors would better settle and repose under a single Governour; and if so, no man more proper, none of more dexterous prudence, none of more assured fidelity then that Lord: of whom his *Majesty* had full experience in his *Presidence* of the *North*, which he discharged with so great wisdom, such fair integrity, as argued him worthy of the highest promotion: so that the *King* agreeable to the value he had for him, not more favouring, then righting him, invested him with the sole power of that Kingdome (in subordination to himself alone) under the title of Lord *Deputy*.

December the 2. the *King* fell sick of the *Small-Pocks*, but the malignity was very remisse, and gentle, so as, by Gods blessing, he soon recovered.

The same month also he sent the *Earl* of *Arundel* to the *Hague* to his *Sister*, both to comfort her, and sollicite her and her childrens journey into *England*: but she returned answer, that she craved her Brothers excuse for that time, having no disposition to so long a journey.

The same year *St. Pauls* Church prayed reparation for the damage she had sustained by the sacrilegious hand of time. A gallanter exercise for Royal magnificence there could not be; and never *King* had a greater minde to the work, then *King Charles*; had he been stockt for it: but poverty (that grand oppressor of ver-

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Discontents in
Ireland.

A contribution for repairing of *Saint Pauls*.

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tuous spirits) kept him short. But the good word of a great Man is worth gold; and though he was unfurnished himself, yet he commended her condition to such as were able; issuing forth a Commission to divers Lords and Gentlemen of note, willing them to exhort their adjacent neighbours to a large contribution, whereby though the summe raised by that Benevolence lookt bigge in grosse, yet did it much fail the expectation of the Bishop, and for his sake (it was supposed) suffered no small diminution; for many had no fancy to the work, meerly because he was the promoter of it, (so ill are even the best actions relisht of men lapsed into common disdain) nor did some forbear to cry, What needs this waste to decore a superstitious relique? Neverthelesse the work went on, and her excoriated carcassee began to skin again, but with so slow a motion, as at length the distempers of the State mar'd the temper of the mortar, and made the Artists knock off abruptly, leaving that famous structure half ruin'd, half polite.

February the 11. there happened a terrible fire upon *London-Bridge*, which consumed very many houses, whereof the still extant gap and chasment is a visible demonstration.

Sorely vext was Bishop *Laud* to see his *Cathedral* so tedious in trimming, especially at such a time, as he did behold under his nose, so vigorous a construction of a little City, not super-edified upon an old bottom, but upstart and new-emergent from the ground.

For the *King* having granted leave to the *Earl of Bedford* to edifie at pleasure upon the *Convent Garden*, it being of a very ample and spacious Area and Content; the *Earl* ply'd his design with such celerity and quick dispatch, as he soon rear'd such numerous rows of stately and ambitious buildings, as made old *London* envy the magnificence of her Sub-urbicary sister.

But some thought this gallant structure of greater state, then safety, and that this *Kings* Father, upon better reason of state, restrained such erections. For Cities are the great rendezvous of People, and where there is the greatest confluence of men, there will be the greatest power. And as all power is a kinde of grievance to them who obey, so no Power is more Tyrannical then that of a City, witnesse *Athens*, *Sparta*, and *Rome*. And if the excessive Grandure of Cities be intolerable in a Popular State, it is much more under a single Sovereignty. For there is nothing more adverse and opposite to Regality then a *Re-publique*, and as all Incorporations are in their Politique constitution elemented according to a popular Scheme, so are their Members usually principled agreeable to such intents, and onely attend untill an opinion of their formidable numbers, or some other serviceable emergency shall invite them to daring against Regal power.

power. A truth which may be exemplify'd in the late deportment of this *Metropolis*, whose Inhabitants this *King* sadly found the considerable Artificers of his ruine. A caveat to posterity, (whether, or not, to *His*, I leave to him *whose wayes are past finding out*) not to permit them to grow to a luxuriancy disproportionable from the interest of subjection.

The *King* you have heard before was in the 1. year of his Reign inaugurated *King of England*; of *England* I say, not of *Great Britain*; wherein as *Scotland* challenged one moiety, so had she a *Crown* to confer as well as *England*, and that *Crown* that *Nation* thought was worth the fetching, and so did the *King* also, at least seemingly, having it in such an anniversary consideration as every year (since his first) the time was prefixt, and his foot almost in the stirrup for a *Progresse* thither. But some thing or other came ever travers and thwart in the very nick of time, and put him by, so that his often preparations for *Scotland* resembled those of *Tiberius* for visiting Provinces remote, (which gave him the by-name of *Callipedes*) *who was ever going, yet never went*. And the *Scots* themselves, none of the most candid interpreters of this *Kings* actions, lookt upon it no otherwayes, then as a meer mockery. The truth is, the *King* had no great stomach to the journey. For as the place had nothing of amenity or delight, so the *Nation* and race of men were not fashioned to the mode of *Englands* civilities, but under the scheme of an honest animosity and specious plain-dealing, most perfidious. But things safe preponderate and outweigh the pleasing, and it grew high time now not to delay and super-annuate longer this expectation. He had lately requested a great Person of that Nation, to whom the custody of the *Crown* was entrusted, to bring it into *England*, that he might be crowned here, and save a tedious Journey: whereto that Lord reply'd, *He durst not be so false to his trust, but if his Majesty would be pleased to accept thereof in Scotland, he should finde those his People ready to yeeld him the highest honor, but should he long defer that duty, they might perhaps be inclin'd to make choyce of another King*. And a while after the Marquesse Huntly, having obtained a Toleration for the exercise of the Popish Religion in *Scotland*, That Council stoutly told him, *When his Majesty shall be pleased to come and be crowned amongst us, He will, we doubt not, be sworn to our Laws, mean while seeing he hath entrusted us with them, we will look they shall be observed*: These speeches the *King* took as bold hints of his necessitated *Progresse*, so that finding that in reason of State, goe he must, resolved he was to appear there like himself, in a most Princely equipage. The suite and train of *English* Nobility he took along were the Earls of *Northumberland, Arundel, Pembroke, Southampton, Salisbury, Carlile, Holland,*

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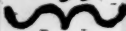
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The Kings
progresse into
Scotland.

Suetonius.

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His Coronation.

The Scots ill-affected to him.

Holland, Monmouth and New-castle; the Bishop of London, Lord Treasurer, Secretary Coke, Vice-chamberlain, with many Gentlemen of quality.

May the 13. thus attended he set forward from London. His gifts and motions were much fore-flowed by his making so many halts to receive the Noble treatments provided for him, by persons of Honor all along the rode; every hours repast being no lesse then a sumptuous feast. But the entertainment most of all august and Royal was that of the Earl of New-Castle at Welbeck, which was estimated to stand the Earl in at least six thousand pounds.

June the 10. he came to Edinburgh, the 18. was designed for the day of his Inauguration. Great Britain never saw any thing more solemn, never a more refulgent parade, and shew of bravery then that celebrity: nor doth she afford a City more agreeably disposed by Nature to represent such a triumph to the best advantage of beholders, then that of Edinburgh. For it being but one entire streer, very spacious, seated on the prone and descending part of an hill, pro-tended in a right line from the Castle to Holy-rood-house (the Kings Palace) at least a mile in length, and the King setting forth from the Castle with his suit of Nobles, rode in a most refulgent stare through the City to the Palace, (where he was to be crowned) so as the Spectators eyes had a full pursuit of all that glorious pomp, from the first to the last.

Thus was King Charles inaugurated King of Scotland, though not King of Scots; not all his most gracious and debonair mine towards them, could vest him in that Nations affection. His revocation (though most legal and innocent) of such things as had been depredated and scrambled away from the Crown in his Fathers minority, with a Commission of Surrenders of Superiorities and Tithes, by which the Ministers and Land-owners were bought out and redeemed from the Clientele and Vassallage of the Nobility and Laique Patrons, they could not concoct: these were the real causes of their disaffection to him; and because that disaffection durst not look abroad under such an odious extraction, therefore they were sedulous to faign another of better acceptance. Soon after the Coronation followed an Assembly of Parliament, therein an Act of Ratification of all Acts formerly made, and then in force, rather for matter of form and course, then for necessity, was propounded: yet did it finde such obstruction, as with much difficulty it passed: for those irritated spirits, whom nothing could content, but what afforded matter of discontent, would not assent; suggesting though in a clandestine way, that the design of this Act was, but to maintain Episcopacy (which they thought but a great chip of the old block Popery) and what hopes of Reformation, what of planting the Gospel, what

what of erecting the Discipline of Jesus Christ so long as Episcopacy is established? But notwithstanding all these clancular, these close insinuations by these turbulent malevolents, the Act passed, and the King had so considerable and so many friends in that Kingdome, as they durst not then attempt any thing which might discompose the publique quiet.

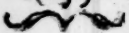
Having thus dispatcht the serious part of his errand into Scotland, his Majesty gave himself the satisfaction of visiting Falkland, Sterling, and some other the most eminent places of pleasure, but in his return and passage from Brunt Island over the Forth to Edinburgh, he escaped a great danger, the winde being boisterous, and the channel insecure. This done he hasted home, that is, unto the embraces of his dear Consort, where he ended his progresse July the 20.

Not long after his return from Scotland, aged and self-fear George Abbot the Titular Archbishop of Canterbury went to his everlasting home, August the 4. A very learned man he was, his Erudition all of the old stamp, stilly principled in the Doctrine of St. Augustine; which they who understand it not, call Calvinisme, therefore dis-relish by them who inclined to the Massilian and Arminian Tenets. Pious, grave, and exemplary in his conversation. But some think a better Man then Archbishop, and that he was better qualified with merit for the Dignity, then with a spirit answering the function, in the exercise whereof he was conceived too facile and yeelding; his extraordinary remissness in not exacting strict conformity to the prescribed Orders of the Church in point of ceremony, seemed to resolve those legall determinations to their first principle of indifferency, and led in such an habit of inconformity, as the future reduction of those tender conscient men to long dis-continued obedience was interpreted an Innovation. This was the height of what I dare report his failings reacht to: That he was a Ring-leader of that Sect which lately appeared desperate profelytes, loth I am with a late Author to affirm, warrant I have none to leave so ill a savour upon his fame, nor can it be infallibly inferred from these men their being then in favour with him. Their principles perhaps were entertained since his death, or if before, not then declared, and untill such secrets be discovered, men may be mistaken in those they favour, the greatest sufferer of these times was so.

Next this Archbishop succeeded William Laud Bishop of London, and was translated September the 19. Higher he could not be advanced in England, in Rome he might, and Rome was so studious to adopt him hers as supposing his ambition was not terminated so; before he was translated, the seriously

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ously made him a ridiculous tender of a Cardinals Cap to which he returned answer negative until Rome were other then it is. Implying that the Church had errors to which he could no waies conform, and had she been as Orthodox as ever, he who was Primate here thought it not sorted with his honour to be second to any elsewhere.

The King having observed at his last being in Scotland that God Almighty was very negligently and as he thought undecently worshipt there, took the Reformation of Sacred worship into his Princely care; and because innovations must be (though never so necessary) led in by degrees, he first began with his own Chappel at Holy-Rood House, and this October issued forth several Articles or Orders to be there observed by the Dean of his Chappel.

First, That prayers be said twice a day according to the English form.

Secondly, That a Communion be held every moneth, and all Communicants to receive the blessed Eucharist on their knees.

Thirdly, That on Sundaies and Holi-daies he who officiates should constantly perform his duty in his Whites or Surplice. But these Directions, though backt with a Letter requiring exact obedience, and though only relating to the Kings private Chappel, yet were very slowly observed, the Bishop of Dunblane then Dean of his Majesties Chappel, pleading now one thing, then another in his excuse, when in truth he knew well he should thereby displease the people, and what the consequence might be of displeasing a Nation so combustible, and whose fury would assume the greater liberty in the absence of his Majesty, as he did easily foresee, so did he think it concerned him to prevent.

In the year 1618. King James published a Command or Declaration tolerating sports on the Lords Day called Sunday. This Declaration then caused so many impetuous clamours against it, as it was soon after called in. And was this October revived and ratif'd by King Charles. The expresse design of this, was to restore the Feasts of Dedication of Churches commonly called Wakes to their ancient solemnity, and to allow the use of lawful pastimes in the lower row upon that day. It was also argued in favour of it, That there was in the Kingdome a potent tendency in many to Judaisme, occasioned by the dangerous Doctrine and Positions of several Puritans; especially of one *Thiophilus Beaborn* an obscure and ignorant School-master, asserting the perpetual and indispensable morality of the Sabbath of the fourth Commandment. Again in other no small inclination to Popery, occasion'd by the rigor and strictness

nesse of *Sabbatarian Ministers*, in denying People recreations on the Sunday. But all these plausible insinuations operated little to a welcome entertainment. Nor was there any one *Royal Edict*, during all *King Charles* his reign, resented with equal regret. The fault was least his *Majesties*, and not only ill Counsell, but ill custome was to blame: For the *King* might say of this his Day, as *Jacob* did once of God's House, *Surely the Lord was in this Day, and I knew it not.* For, too true it is, the Divinity of the *Lords-Day*, was then new Divinity at Court, where the publike Assemblies once over, the indulgence of secular Employment and of Recreations, was thought so little disservice to God, as (time *sans* memorie) not only civil affairs were usually debated at the Councel Table, but also representations of Masques were rarely on other then Sabbath nights; and all this fomented by the both doctrine and practice of men, very eminent in the Church: which seemed the greater prodigy, that men who so eagerly cryed up their own Orders, and revenues for Divine, should so much de-cry the *Lords-Day* for being such, when they had no other Existence, then in relation to this; But of this elsewhere.

November the 6, the young *Prince Elector*, by the Proxie of the *Earl of Dover*, and the *Duke of Lenox*, received at *Windsor* the honor of *Garter*.

The 14. of the same moneth, the *Queen* was delivered of another Son, who was baptized the 24. by the name of *James*, and was after styled *Duke of York*.

February the 2^d. (you may if you please call it *Candlemas* night) had been time out of minde celebrated at Court with somewhat more then ordinary solemnity: and never was any more glorious then that of this year: the four *Innes* of Court presenting both their *Majesties* at *Whitchhall*, with a gallant Masque as a Symbole of their joynt affections. An exact account of this radiant shew, would make a bad shew in so grave a *History*, nor shall I need say more, then that for curiosity of fancy, for excellency of performance, for lustre and dazling splendor, this age, though passionately addicted to the glory of such inventions, never before or since within this Ile afforded the like. So braye a spectacle it was, as it not only delighted the Court, but set the *London Dames* on longing to behold such gaiety within their City wals; upon this account some ten daies after both their *Majesties*, with their train of Court Grandees and Gentlemen Revelers, were solemnly invited to a most sumptuous banquet at *Guild-hall*, where that resplendent shew was iterated, and re-exhibited, so as not only this year, but this moneth may be said to have had two *Candlemas* nights. This entertainment was very costly to the City, so dear was then, I say not this *King*, but their

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Own vanity to them, and that their vanity was dearer to them then their *King* is evident, because some few years after, when they flourished, and he wanted most to repress the *Scottish-darings*, he could not obtain from them any the least pittance of supply.

The next spring his Majesty fell upon *Dauids* design, but not upon *Dauids* sin, of numbring the People, the ground whereof was this.

Forcin Princes and States with whom he was in amity, were earnest suitors to him, that by his leave they might make some military levies within his Dominions. Willing he was to comply with those desires, but would first provide against his own prejudice; that he might therefore take the better notice of what was supernumerary to his own preservation, he caused a general muster to be made of all persons (under the degree of *Esquires*) fit to bear arms from the age of sixteen to sixty, and after the return of the Roll he condescended to their requests.

This summer the *King*, following the Counsel of *Themistocles*, began to apply himself to the mastery of the British seas, to which he had most potent provocations: for his coasts were not only infected with *Pickroons*, *Turks*, and *Dunkirk-Pirats* to the great dammage of traffique, but his very Dominion in the narrow seas actually usurped by the *Holland-Fishers*, and the right it self in good earnest disputed, by a late Tract of learned *Grotius* called *Mare liberum*. These were craving occasions and concernments not of honour only, but of safety also. And how these could be provided for was the grand difficulty, for the charge of the enterprise would be excessive, and his *Exchequer* empty, how that vacuity should be filled up was a *Question*, and that *Question* King *Charles* his infelicity; for without all question the most natural and proper resort had been to his Subjects in *Parliament*, but his and their late so unfriendly, so unkinde parting, gave him slender assurance of relief from them, and made him loth to give himself the trouble of their denial. And for such Subjects, to deny such a *King*, upon such an occasion was (he thought) a deplorable case. Had he wasted and decocted his Treasure in luxury and rior, had he been profuse in bounty to his Favourites, and had contracted want that way; had he prest upon his Peoples liberties above the mode of his progenitors, and so alienated their affections; had not his people been in state to supply him, all these had been considerable and every one something. But never King was more frugal, never King more retentive in his largesses, never King had made more obliging concessions to his Subjects.

This disinclination of the Parliament to assist the *King*, and his impendent necessity, had power, I will not say cause, enough
to

to urge in another King a repetition of *Privy Seals, Loans,* and such disgustfull impositions. But to King *Charles* it was sufficient they were illegal, resolved he was no extremity, no not an invincible, and fatal one, should provoke him to temerate, to violate those Lawes; yet if any thing did happily escape (as he hoped there did) the curiosity of the late restraint upon him by the *Petition of Right*, or was left at the dispose of his *Prerogative*, he doubted not but he might without scruple of conscience to himself, or offence to the publike, take benefit thereof. Therefore for a cunning man (the cunningst at such a Project of any within his three Dominions) he sends, that is, for his Attorney generall *Noy*, tells him what he had in contemplation, bids him contrive the mode (but a legal one) for defraying the expence. Away goes the subtile engineer, and at length from old records progs and bolts out an ancient Precedent of raising a Tax upon the hole Kingdome, for setting forth a Navy in case of danger. The King glad of the discovery, as of *Treasure trousse*, presently issued out writs to all Countries within the Realm, declaring that the safety of the Kingdome was in danger (and so it was indeed) and that therefore every County should for the defence of the Kingdome, against a day prefixt, provide ships of so many Tun, with Guns, Gunpowder, Tackle, and all other things necessary. But before these ships could be fitted to stoe upon the main, they were dry-foundred at land. For the Tax being a burden, every man began to study how to decline the weight. The Clergy pleaded immunity from all secular and civill charges. But the Judges argued against them that there is *Trinoda necessitas*, a threefold necessity which binds all, as well Clergy as Laity; viz. *Aid in War*, (such as this) *the building of Bridges, and making of Forts*; nevertheless the King upon the *Archbishops* entreaty granted them exemption. Again the *Mediterraneans* the Highlanders muttered at the Imposition, alledging that it being a Naval Tax, it ought in reason and equity to be born by the Par-aliours, the Maritime parts. But the objection paramount, and above all was, that it was charged out of Parliament, and so contrary to the *Petition of right*. The severall processes and morions of this Difference, and how at length it reposed, are not now in season, but will more tempestively occurre in the ensuing series of this narration. For

Next to the birth of the Project, succeedeth the death of the Projector. That Attorney Generall ending this life August the ninth. His deceale following his invention of Shipmony so close at the heels, seemed to the people as an overture of some benignity from heaven, and almost perswaded them that God was interested in what they accounted their oppression. He was a man, passing humorous, of a Cynical rusticity, a most indefatigable plodder, and searcher of ancient Records, whereby he became an eminent instrument both

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of good and ill (and of which most is a great question) to the *Kings* prerogative. For during the time that Parliaments were frequent, he appeared a stout Patriot of the Comminality, and in the last was an active opponent in the difference concerning *Tonnage* and *Poundage*. But when the Dissolution of that was, in most mens apprehensions, the end of all, No sooner did the *King* shew him the lure of advancement, but quitting all his former inclinations, he wheel'd about to the *Prerogative*, and made amends with his future service, for all his former dis-obligations.

About the same time *Axel Oxenstiern*, the grand *Chancellor*, and generall Director of the *Swedish* affaires, sent over his son (a Gentleman of singular Gallantry and accomplishments) in the quality of an *Ambassadour* to our King, who treated him very nobly suitable to his both merit and extraction; but in regard he came without credential Letters from the *Queen of Sweden*, and the *King* was ignorant of the latitude and extent of his Fathers power as to constituting *Ambassadors*, he denyed him Audience, whereupon he returned in some disgust.

This year there was a Parliament called in *Ireland* at the motion of the *Lord Deputy*, founded upon very considerable reasons. In the time of *Edward the third*, that Kingdome did yeeld to the Crown *ultra reprisas*, all charges born, thirty thousand pound *per annum*. But now his *Majesties* Revenue fell short of defraying the yearly charge twenty thousand pound *per annum*, which was supplied by way of contribution from the Subject, and the Crown had contracted a debt of eighty thousand pounds. This contribution was to determine the next year, and renewed it could not legally be but by *Parliament*, and if that Parliament would but grant three Subsidies, they would advance enough to maintain the Army, and providently ordered to discharge his *Majesties* debt; and that the Parliament should be inclined thereto, the *King* had many reasons to hope. First, they had granted but one Subsidy since the initiation of *King James* his reign. Secondly, the Kingdome was now grown rich, peace begetting plenty. Lastly his Majesty had lately obliged them by settling all Estates where there had been twenty years continued possession; nor did his expectation mis-carry, the *Lord Deputy* proceeding with that prudence, that he obtained his ends.

The same time also there was in that Kingdome a *Synod* assembled, wherein the System, the Body of Articles formed by that Church *Anno 1615* were repealed, and in their place were substituted the 39. Articles of the Church of *England*; intending to create an uniformity of belief between both Churches. Many were not very well pleased at this alteration, in regard the former Articles contained expressly the *nine Articles of Lambeth*, framed in opposition to the *Arminian Tenets*; and were inserted there by especial

special direction and order from King *James*. Again there was another *Article* of the same edition, wherein the Sanctification of the *Lords-day* was asserted as a duty of Divine Right, for default of which, in those of the English model, men were left at liberty to opine what they pleased concerning its sacred institution; and by consequence a wide door opened to its profanation by licentious libertines.

I must not leave *Ireland* before I have vindicated the innocence of the Lord *Deputy* from an accusation, or rather a calumny of Mr. *Pryn*, who extracts from Sir *Thomas Duttons* letter, in relation of a great mutiny of Papists in *Dublin*, which he fixeth upon this year, and delivereth it as the effect of the Lord *Deputy* his connivence, and fomenting that faction: in both which the man is grossly mistaken, for that mutiny he mentioneth anteceded this *Lords Deputation* two years, as this Narrative hath placed it. And for the Popish *Recusants* certain it is, they never were kept within stricter duty, nor held closer to loyal obedience then during the time he governed them.

The *Scottish* discontents I mentioned in the last *Annal*, which the *King* left behinde him boiling upon a soft and gentle fire, began now to contract a little more confidence in his absence, and to tempt his patience by a most malicious plot against his fame, as preambulatory to another against his Person. The peoples mindes were not yet made susceptible enough of, nor sufficiently infected with, their mischievous impressions; and because the first work and operation in the method of sedition, is to leaven that masse, first they whispered and instill'd into them close intelligence of some terrible plot against their liberties; then they sent abroad a venomous *Libel*, wherein they endeavour'd to infame the *Kings* proceedings in the last Parliament, as indirect, to charge him with the suborning of, and corrupting the then suffrages, and suggested formidable fictions of his tendency to the *Romish* Belief.

This virulent paper passing through many hands, fell at length into some of disaffected inclinations, who presently as duty dictated, informed the Lords of the *Privy Council* thereof, upon which ensued a strict and narrow search into the authors and abettors thereof; the contriver was discovered to be one *Hagge* then escaped, and the chief of the abettors was the Lord *Balmérino*.

This Lords Father was a creature of King *James*, and by him advanced to be his chief Secretary of State, a seeming Protestant, but insidiously Romanist. Being a Minister of no meer admission to the King, he had been often ramping with him to send a letter of compliment contrived by himself to Pope *Clement*, which the King as oft refused not without indignation

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The Scots begin to plot against the King.

The Lord Balmérino arraigned.

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Matth. Tert ad
Apolog. Anglic.
Responsio.

at the motion. Whereupon *Belmerino* taking advantage of the Kings haste when he was going on hunting he being to sign several other dispatches, he cunningly shuffled in that Letter amongst the rest, so as the King signed it unawares. Some years after *Cardinall Bellarmine* mentioning that Letter to the Kings dis-advantage, and the King taking notice thereof questioned his Secretary for it, who upon his triall confessed the whole truth, for which he was by his Peers found guilty, and futable to his merit adjudged to be hang'd, drawn and quartered, and his estate confiscated to the *Crown*. But that King was mild beyond measure, some thought beyond policy, and all this notwithstanding would not spill his blood, which was a clemency most transcendent, had his mercy ended there; but that pardon which was too much mercy for so high an offender, was, he thought, too little for so great a King, therefore in tract of time he shined upon him with such grace, as restored him both in blood and estate. This *Lord* being heir *ex affe* (even to his very perfidiousnesse) of what was his Fathers, being thus lapsed into a similiary crime, underwent similiary proceedings of trial and arraignment, was also by his Peers found guilty, and sentence of death ready to be pronounced against him. True it is, the verdict of his *Peers* past amongst those who wished well both to him and that *Libel*, as over severe. But the malefactor finding himself convicted, and by consequence his life at the dispose of his Majesty, had the wit his Father taught him, to resort to the Kings mercy, which (that the parallel might still proceed) was as gratioously dispensed to him. This Princely favour the *Lord* received (as well it merited) in the lowest posture of a suppliant on his knees, with highest recognizance of his *Majesties* goodnesse, and deepest vowes of future loyalty that an obligation so high could deserve. But long he held not to the conscience of those protestations, so ingrately relapsing some few years after, as if he had only craved leave to offend againe.

During these proceedings against this *Lord*, the Earl of *Kendal* Lord Chancellor of that Kingdome dyed, next whom succeeded the *Archbishop* of *St. Andrews*, a thing not known in that Kingdome for the space of three hundred years before, for a Clergy man to bear that office.

In *England* fell two great Favorites of different parties, of the *Comminalties* one, of the Kings another: of the *Comminalties*, *Sir Edward Coke*, who dyed about the latter end of this Summer. Full of dayes he dyed, most whereof he had spent in eminent place and honour. His abilities in the Common Law, whereof he passed for the great Oracle, raising him to the dignity first of *Attorney General* to *Queen Elizabeth*, then

Sir Edward
Coke dyeth.

of Lord Chief Justice of the Kings Bench under King James. His advancement he lost the same way he got it, by his tongue. So rare is it for a man very eloquent, not to be over loquent. Long lived he in that retirement to which Court indignation had remitted him, yet was not his re-cess in-glorious; for at improving a disgrace to the best advantage, he was so excellent, as King James said of him, *He was like a Cat, throw her which way you will, she will light upon her feet.* And finding a cloud at the Court, he made sure of fair weather in the Countrey; applying himself so devoutly to popular interest, as in succeeding Parliaments, the Prerogative felt him, as her ablest, so her most active opponent. Upon which account he was once made High Sheriffe of Buckinghamshire, on purpose to exclude him the ensuing Parliament, there being an especial *Nolamus* and clause in his Commission prohibiting his election; notwithstanding which elected he was in Norfolk, and those words of Restraint, upon debate of the Question in the House of Commons voted void.

On the Kings, the Great Lord Treasurer Sir Richard Weston Earl of Portland, this year and he almost expiring together, he ending this life March the thirteenth. A sad losse to the King, and the sadder because he thought it irreparable. The truth is, he was a person very able for the office, and the Exchequer was in the mending hand, while he enjoyed that place, for he had a singular artifice both in improving the incomes, and in a frugal moderation of his Masters expences: But the Kings sorrow was not so extreme for him, but the peoples joy was full as great. For there was now grown so sad an antipathy between his Majesty and his Subjects, that like those two Emperors Antonine and Geta, they were alwayes of contrary senses and minds, rarely agreeing in any one particular. The deportment whereby he so disoblighd the Comminalty was his promoting Monopolies, and other advantages of Regality. The Archbishop and he were usually at great odds, yet both in high favour with the King. His vacant place was for the present entrusted to Commissioners untill the King should otherwayes dispose thereof.

The Archbishop was now grown as great as power could make him, and active in the exercise of that power beyond the practice of his Predecessor, whereby he set many tongues about his ears: Men beginning now to rant it in their petulancy to Libel and reproaching; and more then men, women also, amongst these the Lady Purbeck meditating a piece of petty revenge for his so severe censure of her in the high Commission, vented words of deep disgrace against him, for which by the Archbishops procurement she was committed March the 24.

Weston Lord
Treasurer dy-
eth.

Xiphiline.

The

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Robert Parr an
aged man.

The Prince
Elector arri-
ved.

An Ambassa-
dor from Hol-
land.

Bishop Juxon
made Lord
Treasurer.

The Parenthesis of the *Kings* private losse in the Lord Treasurer did not create in him a neglect of his publick charge, but he had still his thoughts fixt upon the general affairs, especially upon his Naval preparation, which now began to promise fair toward the design. For besides a Squadron of twenty ships then fitting for the conduct of the Earl of *Essex*, he had compleated a fleet of forty more gallantly appointed, which dis-anchored *May* the 4. and were commanded by the *Earl of Northumberland* as Admiral. But all the service they performed this summer was inconsiderable in regard they never came to engagement, only their formidable appearance secured the seas from those petty-larcenies and piracies, wherewith they were formerly so molested.

Septemb. the 29. the Earl of *Arundel* brought up to *London* out of *Shropshire*, one *Robert Parr* as the wonder of our times for annosity and long life, this *Macrobius* having attained to the age of neer 160. and probably he might have continued longer, had not so tedious a journey, and over-violent agitation of his aged body accelerated his end, so that it may be said, he sacrificed some years to others curiosity.

In *November*, *Charles Prince Elector* came over into *England*, to tender dues of honour and respect to his uncle our *King*, and partly to sollicite towards his restauration. His passage was very turbulent, being after his embarque, twice driven back by tempest, and when at last he came upon the English Coast, and was to be received by *Sir John Pennington* into the *Vant-guard*, which welcomed him with a vollee of great shot, it fortun'd an unhappy boy gave fire without order to a peece of Ordinance, whose ball entred the Ship where his Highnesse was aboard, and killed two men not far distant from him, at which he was much affrighted. His reception at Court was with all possible ceremonies and caresses of compliment, to whom the Prince of *Wales* resigned up his lodging at *White-hall*.

December the 28. the *Queen* was delivered of another Daughter, who was Christened *Elizabeth*, *January the 2.*

Soon after arrived at *London* *Prince Rupertus*, second brother to his Electoral Highnesse the *Prince Palatine*.

And at the heels of him followed an Ambassador from *Holland*, sent to congratulate with their Majesties, the happy birth of their second Daughter, and because compliments are valued according to the cost is in them, they perfumed this respect with presenting to them a massive peece of *Ambre Gris*, two huge Basons of *China-earth*, a noble clock, the manufacture, the workmanship of *Rodolphus the Emperor*, and four rare Tables of Painture.

Affairs of the Treasury being managed by Commissioners, many hot disputes were generated amongst them, especially between the *Archbishop* and the Lord *Cottington*; so as the *Kings* discretion

discretion was called in to part the fray, by committing the staffe of that office into the hands of *William Fuxen Lord Bishop of London, March 6.* who though he was none of the greatest Scholars, yet was withall none of the worst Bishops. *Men of the most re-searched nations are not usually the best qualified for Government, either Ecclesiastical, or Political; to know, and to be wise, are two.* And as his moderate and equal temper in Church affaires gained love, so in those of the State he preserved it by the same constant calmnesse, and withall exhibited therein clear demonstration of his intemperate integrity, qualities meritorious of good esteem.

About this time began great commotions and stirres in the Church concerning ceremonies.

The Bishops of late years supinely, either carelesse, or indulgent, had not required within their Diocesses that strict obedience to Ecclesiasticall constitutions, which the law expected: Upon this the *Leiturgie* began to be in a manner totally laid aside, and in conformity the uniforme practise of the Church. The now *Archbishop* was of another mind and metall; that the external worship of God should follow the fashion of every private fancy, he did not like; and what he did not like in that subject, as he was in state, so he thought it was his duty to reforme. Therefore keeping this year his *Metropolitickall visitation*, he calls upon all both Clergy and Laity to observe the *Rules* of the Church. Can it give just offence to say that, thus far, he did but what sorted with the office of so great a Prelate? *Where there is not a legal settlement for the upholding uniformity, Schisme will flow in apace;* and the Church hath experimentally found, *Schisme* in things adiaphorous, is as farall to her well being, as *Heresie* in points Dogmatical. And better no lawes at all, then that notwithstanding such establishments, men be permitted in practise to go lesse. But his zeal to order, that carried him thus far, transported him a little too far. The Communion Table which formerly stood in the midst of the Church or Chancel, he injoynd to be placed at the East end, upon a graduated advance of ground, with the ends inverted, and a wooden traverse of railes before it, to keep *Profanation* off, to which *Railes* all Communicants were to resort. These things were decent and comely in contemplation, and had been so in practise, had they been within the rule of the Church directions, but being anomalous, innovations, and so severely urged, many became thereupon *precise*, and separated themselves into factioned sidings; nor was this a Schisme of an ordinary assise, but grew to that proceffe, to that degree, as, to speak in the primitive mode, *Altar was crected against Altar*, that is, one Bishop impugned and opposed another; for the Bishop of *Lincoln* (being assented by one *Tisly Vicar of Gransham*) published a Tract under a concealed name, positively asserting therein, *That the holy-*

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table anciently did in the Primitive times, and ought so in ours, according to the Dictates of our Church, stand *in gremio*, and have of the quire. And as the Archbishop whilst he so vehemently pursued order, did a little outrun authority; so was he unhappy in those he did imploy as instruments and subordinates under him, some whereof endeavoured to superinduct many things as will-worship of their own, and which came within a Mathematical line of Popery; nor were they blamelesse in their lives, some being vicious even to scandal, nor of so meek and humble behaviour as was to be wisht, but insolent at a rate so intolerable, as one was bold to say, *he hoped to live to see the day, when a Minister should be as good a man, as any Jack Gentleman in England*: to such an height of infatuation, had a petty blaze of mistaken honor elevated this high Flyer; who in lieu of those frolique days he looked to see, lived to see that very Hierarchy extirpated, and lived to see himself de-plumed of all his Pomp. These exorbitances of those *sons of Eli*, from the rules of Ethicks, created a very great disgust against them, and many well enough affected to their *Empire*, did exceedingly blame their *imperiosity*. The Presbyterians were gainers by all this, being men for the generality free of any moral scandal, saving that they were thought Philargyrous, and over solicitous of *filthy lucre*, and pretended to a most demure formality and supple mildnesse, plausible insinuations into vulgar esteem, whereby they daily prevailed upon the affections of such, who little thought such outside lambs, had clawes and asperities (so cunningly did they conceal them) far more sharp and terrible then the Prelates, whereof they gave shortly after sensible demonstration.

The next Summer the Royal *Fleet* now completed to sixty sail of tall ships, set sail from the *Downes* for the North, to scour that Sea as of Pirates, so of the *Flemish Busses*; which they did to so good effect, as they were soon reduced to a precarious condition, and to entreat the favour of fishing by his *Majesties* commission: a veniality the *King* was most ready to indulge them; For first, in that preparation he had no design paramount to the preservation of his Regalities in the *British* Ocean; this gained, he sought no more. Again, he knew well that nothing was more pertinent to the Prince *Electors* interest then the correspondence of those States, nor was any assistance more like to mean and procure his Restoration then theirs, and therefore it was good policy to oblige them with all fair shews of amity. For the *Kings* passion for his Nephews restauration did not at all languish, but rather contracted new vigour from his presence at the *English* Court. And because there was indicted an Imperial Diet at *Ratisbone*, *Septemb.* the 16. of this year, for the Election of an *Emperor*, he was resolved once more to sollicite his cause, hoping the change of the person might dispose to a change of minde. The instrument he made choyce of for this affair, was the

Earl

Earl of *Arundel*, Lord Marshal of *England*, in most gallant equipage he went attended with a noble train, and coming to the Imperial Court, he presented his Masters request to the Emperour, who reply'd that it was probable that Prince might be re-admitted to enjoy the lower *Palatinate*, but as to the higher it was not likely that the *Duke of Bavaria*, who then posselt himself of it, would listen to any proposition destructive to his present interest therein. A very sharp and fierce encounter there was between the Ambassadour and the Deputies of the Emperour upon this subject, so as they could hardly temper themselves from offensive contumelies. Some of the Electors in the *Diet* were very inclinable to the restitution, conceiving that it would be very difficult to found a stedy peace without it, but the *Duke of Bavaria* said peremptorily he would neither part with the territories, nor Dignity Electoral, while he was able by the sword to hold them: whereupon the Lord Ambassadour much incensed that he so long attended to so little purpose, without deigning any the honour of an *a Dieu*, made haste away: and though the Emperour did send the *Spanish* and *Pologn* Ambassadors after to appease him, and to request his patience but a moneth longer, yet would he not be exorated or be prevailed with, but came directly home, having first dispatcht Letters of advice to his Master, concerning the state of his Negotiation; whereby the *King* discontented at the small regard his Ambassadour found at the Imperial *Diet*, was prompted to return an equal slight upon an Agent employed soon after by the Emperour hither about the same affair.

This breach between our *King* and the Emperour, did not at this time more seem to frown upon, then another occasion to flatter that Princes fortunes; for now the King of *Poland* sent Prince *Ratzevilk* to treat with our King of a marriage between that King and the Lady *Elizabeth*, sister of the Prince Elector; which was prosecuted to a very neer point of conclusion. Certain it is, that *King* was seriously inclined to the match, but he being an Elective Prince, was in such an affair to submit to the Diet of that Kingdome, and in that it found so fair acceptance, as two of the three Estates had once accorded to it. But the Clergy making a pawse in their consent, upon a seeming suggestion, that the businesse was of too high importance to be so precipitated, in the interim interveneth a proposition from the Emperour and King of *Spain*, of *Cecilia Arch-Duchesse*, and second sister of the Emperour. This overture so soon wrought upon that Nation, as renouncing all further treaty with *England*, or any other State, the match was instantly concluded with that *Austrian Lady*, and the Prince Elector remitted to his former state of diffidence, it not of despair.

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Earl of Arundel sent Ambassador into Germany.

Overtures of a match between the King of Poland and the Lady Elizabeth.

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The *Archbishop* of *Canterbury* having in his Provincial visitation the last year settled Church affairs in most places to his minde, though thereby he had unsetled and discomposed the mindes of others, began now to cast a narrow eye upon the University of *Cambridge*. Some spies had informed him, that not only Divine Service was performed, but also Sacraments administred in severall *Chappels* there, as in those of *Emmanuel* and *Sidney-Sussex* Colledge, which had not yet been consecrated. This he thought an high indignity to Religion, and such as created a necessity of his visitation. But the University hearing of what he purposed, pretended an exemption from his Jurisdiction, that they had the Power he challenged within the Charter of their own Foundation; and that saving themselves, none had right to visit them, unlesse it were his *Majesty*, whom they agnised as their Founder. Whereupon so hot a contest arose between the *Archbishop* and the *University*, that it came to an hearing before the *King* and his *Privy Councel* at *Hampton Court*, where it was overruled for the *Archbishop*.

The great debate about
Ship-money.

In *Michaelmas* tearm was canvassed and debated that grand controversie between the *King* and Subject about *Shipmoney*: for the *Ship-writts* having been issued out *August* the 11. 1635. to divers Counties, many Inhabitants, and amongst the rest Mr. *Hambden* of *Buckinghamshire*, assessed by the Sheriffe, made default of payment, whereupon the *King* (so steddy a respect did he defer to justice) equally hating to be either flattered into, or frighted from the belief of its legality, wrote a letter to the Judges, demanding their opinions upon the case stated, the Letter was,

To Our trusty and well-beloved Sir John Bramston, Knight, Chief Justice of Our Bench, Sir John Finch, Knight, Chief Justice of Our Court of Common Pleas, Sir Humphry Davenport, Knight, Chief Baron of Our Court of Exchequer, and to the rest of the Judges of Our Courts of Kings Bench, Common Pleas, and the Barons of our Court of Exchequer,

Charles Rex.

'Trusty and well-beloved, we greet you
'well, taking into Our Princely consideration,
'that the Honor and safety of this Our Realm
'of *England*, the preservation whereof is only
'en-

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entrusted to Our care, was, and is, more dearly concern'd then in late former times; as well by divers counfels and attempts to take from Us the Dominion of the Seas, of which We are sole Lord, and rightful Owner, or Propriator, and the losse whereof would be of greatest danger, and peril to this Kingdome, and other Our Dominions, and many other wayes: We, for the avoiding of these and the like dangers, well weighing with Our self that where the good and safety of the Kingdome in general is concern'd, and the whole Kingdome in danger, there the charge and defence ought to be born by all the Realm in general: did, for the preventing so publique a mischief, resolve with Our self to have a Royal Navy prepared, that might be of force and power (with Almighty Gods blessing and assistance) to protect and defend this Our Realm, and Our Subjects therein from all such perils and dangers, and for that purpose We issued forth writs under Our Great Seal of *England*, directed to all Our Sheriffs of Our severall Counties of *England* and *Wales*, Commanding thereby all Our said Subjects, in every City, Town, and Village, to provide such a number of Ships, well furnisht, as might serve for this Royal purpose, and which might be done with the
greatest

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‘greatest equality that could be. In perform-
‘ance whereof, though generally throughout
‘all the Counties of this Our Realm, We
‘have found in Our Subjects great chearful-
‘nesse and alacrity, which We gratically in-
‘terpret as a testimony, as well of their duti-
‘ful affection to us, and our service, as of the
‘respect they have to the Publique, which well
‘becometh every good Subject; Neverthelesse
‘finding that some few, happily out of igno-
‘rance what the Lawes and Customes of this
‘Realm are, or out of a desire to be eased in
‘their particulars, how general soever the
‘charge be, or ought to be, have not yet paid
‘and contributed to the severall Rates and Af-
‘fessments that were set upon them. And
‘fore-seeing in Our Princely wisdom, that
‘from thence divers Suites and Actions are
‘not unlikely to be commenced, and profecu-
‘ted in our severall Courts at *Westminster*; We,
‘desirous to avoid such inconveniences, and
‘out of Our Princely love and affection to all
‘Our People, being willing to prevent such er-
‘rours as any of Our loving Subjects may
‘happen to run into, have thought fit in a case
‘of this nature to advise with you Our Judges,
‘who We doubt not are well studyed and in-
‘formed in the Rights of Our Sovereignty.
‘And because the trials in Our severall Courts,
‘by

by the formalities in pleading, will require a long protraction, We have thought fit by this Letter directed to you all, to require your Judgments in the Case, as it is set down in the inclosed Paper, which will not only gain time, but also be of more Authority to over-rule any prejudicate opinions of others in the Point. Given under Our Signet at Our Court of *White-hall*, the 2. day of *February* in the twelfth year of Our Reign, 1636.

Charles Rex.

Charles Rex.

When the good and safety of the Kingdome in general is concern'd, and the whole Kingdome in danger; whether may not the King by Writ under the Great Seal of England, command all the Subjects in his Kingdome at their charge to provide and furnish such number of Ships with men, victuals, and Munition, and for such time as he shall think fit for the defence and safeguard of the Kingdome from such danger and peril, and by Law compell the doing thereof in case of refusall or refractorinesse: and whether in such case is not the King the sole Judge both of the danger, and when, and how the same is to be prevented and avoided?

To which the Judges delivered their opinions as followeth.

May

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May it please your most excellent Majesty, we have according to your Majesties command, severally, and every man by himself, and all of us together, taken into serious consideration the case and questions signed by your Majesty, and inclosed in your Letter. And we are of opinion, that, when the good and safety of the Kingdome in general is concerned, and the hole Kingdome in danger, your Majesty may by Writ, under your Great Seal of England, command all the Subjects of this your Kingdome, at their charge to provide and furnish such number of Ships with men, victual, munition, and for such time as your Majesty shall think fit, for the defence and safeguard of the Kingdome from such perill and danger. And, that by Law your Majesty may compell the doing thereof in case of refusal or refractorinesse. And we are also of opinion, that in such case your Majesty is the sole judge both of the danger, and when, and how the same is to be prevented, and avoided.

John Bramston.

John Finch.

Humphrey Davenport.

John Denham.

Richard Hutton.

William Jones.

George Crook.

Thomas Trever.

George Vernon.

Robert Barkly.

Francis Cranly.

Richard Weston.

These opinions being subscribed by all the Judges, and inrolled in all the Courts of Westminster Hall, the King thought he had now warrant sufficient to proceed against all defaulters, and especially against Mr. *Hambden*, who being summoned by proccesse, appeared and required Oyer of the Ship-writs, which being read he demurred in Law, and demanded the opinion of all the Judges upon the legall sufficiency of those Writs.

This great case coming to be argued in the Exchequer, the major part of the Judges delivered their opinions in favour of the Writs, and accordingly the *Barons* gave judgement against Mr. *Hambden*; yet did not the question altogether so repose, but Mr. *Hambden* observing some Judges, *viz. Crook* and *Hutton* of a contrary sense, held up the contest still, though all in vain, all his inquietude not gaining him the least acquittal untill an higher power interposed.

March the 17. the Queen bare to the King a second daughter the Lady Princeesse *Anne*.

June

June the 14. a Triumvirate of Libellers, Mr. *Prin* a Barrester of *Lincolns Inne*, Dr. *Bastwick*, a Physitian, and Mr. *Burton* a Divine, sometimes Tutor to the *King*, received a severe censure in the Star-chamber. The crimes, whereof the information against them consisted, were homogeneous, and all of a sute, though the men of different Professions. Mr. *Prynne* was sentenced for publishing some pamphlets scandalous both to Episcopal Government it self, and also to the Bishops; Dr. *Bastwick* for a Latine Apology *ad Præsules Anglicanos*, and a *Litany* very virulent against them; Mr. *Burton* for two pamphlets of similiary nature, and argument, and of as tart a style. For these offences the Court awarded them a smart punishment; Mr. *Prynne* felt the heaviest stroke, because he had been censured there formerly, and an additional offence deserved, they thought, an additional castigation. He was fined five thousand pounds to the *King*, to lose the remainder of his ears in the *Pillory*, to be stigmatized, or if you will sigmatized, on both cheeks with the letter *S* for a Schismatick, and to be perpetually imprisoned in *Carnarvan Castle* in *Wales*. Dr. *Bastwick* and Mr. *Burton* were sentenced each five thousand pounds fine to the *King*, to lose their ears in the *Pillory*, and to be imprisoned, the first in *Lanceston Castle* in *Cornwall*, and the other in *Lancaster Castle*.

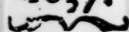
June the 26. the Prince *Electo*r beginning to languish in his hopes of succour from his Uncle, departed with his Brother Prince *Rupert* for *Holland*.

The next month presents us with the recidivation, a second fall of the insolent Prelate *Williams* Bishop of *Lincoln*. His first was mentioned in the first year of this *Kings* Reign, which though but from one stage, yet because a fall, that is, a constrained and no spontaneous descent, he stomach with most high indignation. That by the munificence of Royal Majesty he exchanged his wooden for a silver mace, that from a Countrey *Pedant*, he became in a double relation a *Peer* of the Realm, that the in-trados and in-comes of his promotions, enabled him to accumulate vast sums of money, and to make acquist of large revenues, and that of his dignities he still retained the greater part, these things he little minded (so powerful is with worthless spirits, one seeming discurtessie, to dis-oblige from the recognisance of antecedent favours, though never so, either great or many.) Thus malevolently inclined, he thought he could not gratifie beloved revenge better, then to endeavour the supplanting of his Sovereign, to which end finding him declining in the affection of his People, he made his apostrophe and applications to them, somenting popular discourses tending to the *Kings* dishonor, so long, untill at length the incontinence of his tongue betray'd him into speeches which trespass upon Loyalty. For

Bishop *Williams* sentenced in the Star-chamber.

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which words, they having taken a vent, he was questioned by a Bill in the *Star-chamber*, 4. *Car.* But the information being somewhat lame, as being taken up upon refracted and second hand report, the Accusation took a nap till about 8. *Car.* when it was revived again. And the Bishops purgation depending principally upon the testimony of one *Prideon*, it happened that the *February* after, one *Elizabeth Hodson* was delivered of a base childe, and laid it to this *Prideon*. The *Bishop* finding his great witness charged with such a load of filth and infamy, conceiv'd it would in-validate all his testimony, and that once rendred in-valid, the *Bishop* could easily prognosticate his own ruine, therefore he bestirs himself a main, and though by order of the Justices at the Publique Session at *Lincoln*, *Prideon* was charged as the reputed father, the *Bishop* by his two agents, *Powel* and *Owen*, procured that Order suppressed, and by subornation and menacing of, and tampering with witnesses, at length in *May* 10. *Car.* procured the childe fathered upon one *Boon*, and *Prideon* acquit. These lewd practises, for the supportation of his favorites credit, cost the *Bishop*, as he confest to Sir *John Munson* and others, twelve hundred pounds, so much directly, and by consequence much more. For being accriminated in the *Star-chamber* for this corrupting of witness, and being convicted (I will not not say convinced) by evident and full proof, *July* the 11. of this year, he received a most condign censure of ten thousand pounds fine to the *King*, imprisonment in the Tower during his *Majesties* pleasure, suspension *ab Officiis & Beneficiis*, and to be referred to the High Commission for the rest. In this state I leave him, untill the series of a few years shall render him in a better.

Nor must I leave him only, but even *England* her self almost, for now began *Scotland* to be the great scene of action, and thither must my discourse make its next transiſion. Of this and the next years commotions there, a true account I shall give you, though not an exact one, as to descend to every particular; that is done already as by a Royal hand, so *ſtylo Imperatorio*, in a full body, and Historical systeme: from whence I shall extract such occurrences as are of prime remarque, and as contractedly as may be, having regard to the symmetry of the other parts of this Narration. And because the precognition of their first extraction will be necessary to the relation of those occurrences, themselves, I shall there commence.

The *King* observing his Father had it once in design to settle in *Scotland* a *Liturgie*, in order to uniformity, like that of *England*, but was taken away before he could accomplish it, thought himself concerned to pursue his Fathers purpose: to which end he gave directions to the *Archbishop* of *Canterbury*, the *Bishop* of *Ely*, and to divers *Bishops* of that Kingdome, to revise, correct,

correct, alter and change, as they pleased, the *Liturgie* compiled in his Fathers time. This *Service-Book* so altered, and very little differing (as he was unhappily perswaded by them) from the *English*, he sent to his Council of that Kingdome, ordering them to proclaim the reading of it upon the next *Easter* day, 1637. who upon better consideration respited it until *July* the 23. but gave publique notice of it the Sunday before.

July the 23. being *Sunday*, the *Dean* of *Edenburgh* began to read the Book in *St. Giles* Church (the chief of that City) but he no sooner began, then the inferiour multitude began in a tumultuous manner to fill the Church with uproar; whereupon the *Bishop* of *Edenburgh*, stept into the pulpit, and hoping to appease them by minding them of the sanctity of the place, they were the more enraged, throwing at him cudgels, stooles, and what was in the way of fury, unto the very endangering of his life: upon this the *Archbishop* of *St. Andrews*, Lord Chancellor, was enforced to call down from the Gallery the *Provost*, *Bayliffs*, and other Magistrates of the City (then sitting there) to their assistance, who with much ado at length thrust that unruly rabble out of the Church, and made fast the doores: This done, the *Dean* proceeded in reading the Book, the multitude in the mean while rapping at the doores, pelting the windowes with stones, and endeavouring what in them lay to disturb that Sacred exercise; but notwithstanding all their clamour, the Service was ended, but not the peoples rage, who waiting the Bishops retiring to his lodging, so assaulted him, as had he not been rescued by a strong hand, he had probably perisht by their violence. Nor was *St. Giles* Church only thus pester'd, and profan'd, but in other Churches also, (though not in so high a measure) the peoples disorders were unison and agreeable. The morning thus past, the Lord Chancellor and Council assembled to prevent the like darings in the afternoon, which they effected, as the Liturgy was read without any disturbance: only the *Bishop* of *Edenburgh* was in his return to his lodging rudely treated by the people, both by execrations and other wayes, though in the *Earl of Roxboroughs* Coach.

All this time, the Magistrates of the City seemed so utterly to abhor those tumultuous proceedings, as some they apprehended, and were industrious to enquire out others actors therein: and whereas the Ministers of that City craved dispensation from reading of the Book untill security were given for the safeguard of their persons; the Magistrates and Council of *Edenburgh* draw up an obligatory Act, both for indemnity of their persons, and also for their settled maintenance.

Now the long vacation and Harvest began to come on, and sedition being the businesse of idle men, the distempers began a while.

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Sits about the Liturgy.

The Bishops affronted.

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Proclamations
against those
tumults.

Earl of Tra-
quair assaulted.

to slumber; but their corn being inneed, and chief employments over, *Edenburgh* began to swarm again to a formidable number, and the City to relax so far in their former earnestness for the *Service Book*, as many of them presented a *Petition* to the Lords of the Council, craving the Book might be no further prest upon them, untill the King should signify his further pleasure. The Council upon this observing so great a confluence, and the City so disaffected, and fearing some dangerous consequence, issued out *Octob.* the 17. three *Proclamations*, the first to notify the dissolving their meeting in relation to Church matters, and that every man forthwith repair home to their own dwellings, (except such who shall shew just cause of their stay to the Lords) upon pain of Rebellion. The second for removing of the Session (the Term) from *Edenburgh* to *Lithgow*. And the third, for calling in and burning a seditious Book, entituled *A Dispute against the English Popish-Ceremonies*, obruded upon the Kirk of Scotland. These Proclamations were not water, but rather fuel to the flame. For the next day the Bishop of *Galloway* being to sit with the Lord Chief Justice upon some especial business in the Council house, he was persued all along the street with bitter raylings to the very Council door, and being drawn in from the rage of the people, they immediately beset the house, demanding the delivery of him, threatening his destruction. The Earl of *Traquair* being advertised of the Bishops danger came presently to his relief; and, with much adoe, forced an entrance through the press of the Mutineers. But being got in, he was in no better plight then the Bishop, the clamour encreasing still more and more, and encompassing the Council house with terrible menaces. Hereupon the Lord Provost and City Council was called upon to raise the siege; but they returned answer, that their condition was the same, for they were surrounded with the like multitude, who had enforced them, for fear of their lives, to sign a Paper importing, First, *That they should adhere to them in opposition to the Service Book*. Secondly, *Restore to their places Mr. Ramsey, and Mr. Rollock, two silenced Ministers, and one Henderson, a silenced Reader*. No better answer being returned, the Lord Treasurer with the Earl of *Wigton*, went in Person to the Town Council house, where they found the heat of the fury somewhat abated, because the Magistrates had signed the Paper, and returned with some hope that the Magistrates would calm the disorders about the Council house, so as the Bishop might be preserved, but they no sooner presented themselves to the great street, then they were most boisterously assaulted, the throng being so furious, as they pulled down the Lord Treasurer, took away his hat, cloke, and white-wand, and so haled him to the Council house. The Lords seeing themselves in so great hazard, at length pitch upon the best

expe-

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expedient for their safety, and sent to some of the Noble-men and Gentry, who were disaffected to the *Service Book*, to come to their aid. These Lords and Gentlemen came, as was desired, and offered both their persons and power to protect them; which the Lords in the Council house readily embraced, and so were quietly guarded to *Haly-rood* house, and the Bishop to his lodging.

The Lords of the Council now thinking themselves secure, that very afternoon commanded a *Proclamation* to be made at the Crosse of *Edenburgh*, for the repressing such disorders for the time to come; but slender obedience was yielded thereunto, for the Citizens sent Commissioners to the Council Table demanding the restauration of their Ministers, and performance of what was promised before their *Pacification*: and not long after the Council was boarded with a *Petition*, not of a rude multitude, but of *Noble-men*, *Barons*, *Ministers*, *Burgesses* and *Commons* against the *Liturgy* and *Canons*. This *Petition* was sent to the *King*, who, displeased with the contents thereof, gave instructions for adjourning the Term to *Sterling*, twenty four miles from *Edenburgh*, that so the former confluence might be precluded, and also for publishing a *Proclamation* interdicting, upon the highest penalty, such tumultuous resorts. Upon the very day, being *February. 19.* and immediately after the reading of this *Proclamation* at *Edenburgh*, the Earl of *Hume*, and the Lord *Lindsey*, with some others, caused their *Protestation* against it to be read; and agreeable to their *Protestation*, in despite of the *Kings* *Proclamation*, erected *Four Tables*, one of the *Nobility*, another of the *Gentry*, a third of the *Burroughs*, a fourth of the *Ministers*; these four were to prepare and digest what was to be propounded at the *General Table*, formed of several Commissioners chosen from the rest.

The first-born and eldest-brat of this *General Table*, was a renewing the ancient Confession of Faith of that *Kirk*, (for the Devil himself, is never himself but when he becomes a seeming Saint) and entering a general Covenant pretended to preserve their Religion there protest, and the *Kings* Person, but aiming in truth at the destruction of both. The Council, upon the first publication of this combination, sent a dispatch to the *King* by Sir *John Hamilton*, to advertise him thereof; the *King* animadverted every prevarication from the ancient mode, and wondred at their unparallel'd impudence, to prefix a title so self-destructive; for they had contrived it thus,

*The Confession of Faith subscribed at first, by the
Kings Majesty and his Household in the year of God
1580.*

Ann. Christi

1637.

Another Proclamation.

The Scots Petition against the *Liturgy*.

1638.

Enter into a Solemn Covenant.

Ann. Christi
1638.

1580. Thereafter by persons of all ranks in the year 1581. by Ordinance of the Lords of the Secret Council, and Acts of the General Assembly. Subscribed again, by all sorts of persons in the year 1590. by a new Ordinance of Council at the desire of the General Assembly; with a General Band for the maintenance of the true Religion and the Kings Person; And now subscribed in the year 1638. by us Noblemen, Barons, Gentlemen, Burgeses, Ministers, and Commons, under subscribing.

From hence the King observed, that in the three first subscriptions, either his *Fathers* own act is exprest, or an *Ordinance of the Lords of the secret Council*, which is equivalent to Regal authority, was obtained, and at the desire of the *General Assembly*; whereas in the last, neither was his *Own*, nor his delegated Authority to his *Council* implored, nor was there any *General Assembly* to entreat it. So that the exacting of a Publique Oath, which could not legally be done without the highest authority, was actually done without the least shadow of it.

Differing from
former precedents.

Again, in the frame of the Covenant he noted a difference of dangerous consequence, from former precedents; for whereas preceding *Bands* annexed to Confessions, were formed in *Defence of Himself*, his *Authority* and *Person*, this new edition hath a Combination against all persons whatsoever, not Himself excepted.

Marquesse
Hamilton
sent Commissioner
into
Scotland,

The King nothing pleased with these affronts, yet studious to compose these surges of discontent, sent the *Marquesse of Hamilton* down in the quality of an high Commissioner, empowering him with a Commission to use the utmost of his Interest and Power for the settling of peace.

Is slighted.

June the 6. his Commission was read and accepted by him at *Dalkeith*, where though he abode many dayes, and it was but four miles distant from *Edenburgh*, yet would not the *Covenanters* take any notice of his being there, nor make any addresse to him: and the better to colour their slight, they pretended there was a dangerous plot to blow them up with Gunpowder, which with some small quantity of ammunition, intended for the service of the Castle of *Edenburgh*, had been there disembarqued a few dayes before.

Comes to
Edenburgh.

Not long after the *Marquesse* at the earnest solicitation and supplication of the City of *Edenburgh*, and upon assurance of that Cities good behaviour, and quiet deportment, removed from *Dalkeith* to *Holy-rood* house, where he fell presently into

Com-

The Reign of King Charles.

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Communication with the *Covenanters*. First, what they expected from the *King* in satisfaction to their grievances. Next, what assurance they would give of their returning to due obedience, and renunciation of the *Covenant*. To the first they replied, that nothing but a *General Assembly* and a *Parliament* could give them satisfaction. To the second they answered, that they disavowed any retreat from their *Loyalty*, and therefore needed no return towards it. And for the *Covenant*, *That they would sooner renounce their Baptism then it, And that this was a proposition they would never endure to hear a second time*: which they took speedy care to prevent, for they resented it with so much wrath, as they doubled their *Guards* both upon the *Castle* and *City*: whereupon, the *Marquesse* in order to his safety returned to *Dalkeith*, and sent to the *King* for new instructions; to which his *Majesties* answer was, that he would have him forthwith publish by Proclamation his Declaration, wherein he assured that *Kingdome* of his constancy in the *Protestant Religion*; that he would never further presse nor urge the practise of the *Canons* and *Service Book*, but in a fair and legal way, and had given Order for the discharge of all Acts of Council concerning them; And that he had taken into consideration the indicting of a *General Assembly* and *Parliament*, wherein might be agitated what should most concern the peace and welfare of the *Kirk* and *Kingdome*. Whereupon he expected that those his subjects, sensible of his gracious favour, would give testimonial of their future loyalty, and no further provoke him to make use of that power which God had given him, for the reclaiming disobedient people.

This Proclamation was no sooner ended, but the *Covenanters* were ready with a traversing *Protest* against it, wherein they seemed highly to distaste to have their actions branded with the notion of disobedience, and declared, that they would never abandon their *Covenant* upon such suggestions, and *that they would not wait the Kings conveniency for calling of an Assembly; but if he did not approve of their proceedings, they would call a General Assembly themselves*.

The *Marquesse* finding them still thus obstinate, told them that the stock of his instructions was spent, and that he must resort to *England* for a fresh supply, thereupon they acquainted him, that they expected his *Majesties* answer, and his return upon the 5. of *August* next at the furthest, they promising in the interim to continue in a peaceable condition, nor to act any thing untill his return.

The *Marquesse* coming into *England*, and making known to the *King* the state of his affairs in *Scotland*, he dispatcht him away with new orders, so as he might be there at the time prefixed.

Ann. Christi
1638.

The *Covenanters* demand a general Assembly and Parliament.

Double their guards.

The *King* yeelds to their desires.

The *Covenanters* obstinate.

The *Marquesse* returns into *England*.

The

Ann. Christi
1638.

And again in-
to Scotland.

Proposals con-
cerning the
Assembly.

The *Marquesse* upon his return, found a strange rumour spread abroad, as if he were well satisfied with, and did approve of their *Covenant*, so as to vindicate his own reputation, he was compelled to call in aid of the *Lords* of the *Council*, and others of the Nobility to be his compurgators. This aspersion being as he thought sufficiently wiped off, he presently sa's upon conference with the *Covenanters* about the indicting of the Assembly, demanding first to know of what members it shou'd be constituted, and of what matters it should treat: whereat they flew out into an extreme rage, giving out that these Propositions were destructive to their liberties, and a prelimitation of that Assembly, which ought to be free, and told the *Marquesse*, that the Assembly it self should be Judge both of their own Members, and of the matters whereof it should take cognisance.

These things put the Commissioner to a plunge, and made him explicately declare his instructions, which were to indict an Assembly, but upon concession of these ten *Articles*.

1. That all Ministers deposed or suspended by Presbyteries since the first of February last, without warrant of the Ordinary, should be restored till they were legally convicted.

2. That all Moderators of Presbyteries deposed, since that time without such warrant, be restored, and all others chosen in their stead to desist from acting as Moderators.

3. That no Minister, admitted since that time, without such warrant, shall exercise the Function of the Ministry.

4. That all Parishioners repair to their own Church, and that Elders assist the Ministers in the Discipline of the Church.

5. That all Bishops and Ministers have their rents and stipends duly paid them.

6. That all Ministers attend their own Churches, and none come to the Assembly, but such as shall be chosen Commissioners from the Presbyteries.

7. That every Moderator be appointed to be a Commissioner from that Presbyterie whereof he is a Moderator, according to the Act of the Assembly 1606.

8. That

8. That Bishops, and others, who shall attend the Assembly, be secured in their persons from all trouble.

9. That no Lay person meddle in the choice of Commissioners from Presbyteries.

10. That all Convocations and meetings be dissolved, and that the Countrey be reduced to a peaceable posture.

These Articles would no way be condescended to, and the main answer to them was, an appeal to the General Assembly, where they were properly to be decided. Upon this refusal the Commissioner entertained a resolution of another journey, which the Covenanters understanding, they bruited abroad amongst their adherents, that he neither had power from the King, nor any inclination in himself to give the people any satisfaction: which seemingly so incensed him, that he contracted all his former Propositions into these two,

1. If the Lords and the rest will undertake for themselves, and the rest, that no Laiques shall have votes in choosing the Ministers to be sent from the several Presbyteries to the General Assembly, nor none else but the Ministers of the same Presbyterie:

Contracted
into two.

2. If they will undertake that the Assembly shall not goe about to determine of things established by Act of Parliament, otherways then by remonstrance to the Parliament, leaving the determining of things Ecclesiastical to the general Assembly; and things settled by Acts of Parliament to the Parliament:

Then I will presently indict a General Assembly, and promise, upon mine Honour, immediately after to call a Parliament.

These propositions put the Covenanters into such a fit of choler, as they presently gave order for a General Assembly, but when the fit was off, and they began to cool, upon second thoughts they conceived it meet to forbear, untill the Commissioner should return from the King, with a more pleasing answer, for which they limited him to the 21. of September next; promising, in the interim, not to proceed to election.

The Commissioner posting to the King found him at *Oslands*, where entring into consultation of the matter with his Privy Counsellors

Hamilton
goes for Eng-
land.

Ann. Christi

1638.

And returneth.

The Kings
gracious De-
claration,Protested a-
gainst.

Counsellors then present, and persuing the advice of his Council in *Scotland*, resolved, as he thought, upon a way which would not leave any remnants of discontent, and sent back the *Marquesse* with ample instructions agreeable to it, who returned within his time limited, but found the *Covenanters* had given order for an *Election* to be on the 22. of *September*, the very next day after that prefixt; this the Commissioner interpreted to be a kinde of equivocation, but would take no notice of it, but according to his instruction on that 22. of *September*, assembling the Council, delivered them a letter from the King, acquainting them with what course he meant to persue for the benefit of that Kirk and State. Then he appointed the *Kings Declaration* to be read; wherein he nulled the *Service-Book*, the *Book of Canons*, the *High Commission*, discharged the pressing of the five Articles of *Perth*, Ordered that all persons whatsoever, Ecclesiastical or Ci-vill, should be lyable to censure of *Parliament*, and *General Assem-bly*. That no other Oath be administred to Ministers at their entry, but what was contained in the *Act of Parliament*. That the ancient Confession of *Faith*, and *Band* thereunto annexed, should be subscribed and renewed, as it was in his Fathers time. That a *General Assembly* be holden at *Glasgow*, *November* the 21. 1638. and a *Parliament* at *Edenburgh* the 15. of *May*, 1639. Wherein he pardoned all by-gone offences, and indicted a *General Fast*.

Immediately after this Declaration published, the *Confession of Faith* was read, and subscribed by the *Marquesse*, and the *Lords of the Council*. Then a Proclamation for the *General Assem-bly*, next another for the *Parliament*. And lastly were proclaimed an *Act of the Lords of the Council*, requiring a general subscrip-tion of the *Confession of Faith*, and a Commission directed to divers for taking the subscription.

These Acts of Regal authority being past; the *Covenanters*, af-ter their usual mode, brought up the rear with a Protest, wherein they moved the people to consider with whom they were to deal, and mightily de-cry'd the new subscription to the confession of *Faith*, excepted against the *Archbishops* and *Bishops*, as not to have any votes in the Assembly.

This done, they proceeded to Election of Commissioners for the Assembly, and first issued Orders from their Table, That every Pa-rish should send to the *Presbytery* of their limit one Lay man, whom they called an *Ruling Elder*, who should have equal vote with the Mi-nist r in the *Presbytery*. Then they stopt on, and moved the Commissioner, that he would grant out Warrants of citation against the *Archbishops* and *Bishops* to appear at the Assembly, as *Rei*, or guilty persons; which he refusing, they presently framed a *Bill* of complaint against them, charging them with many

many mis-demeanors. This *Bill* was presented to the *Presbytery* of *Edenburgh*, which *October* the 24. thereupon warn'd them all to compeer, at the next *General Assembly* to be holden at *Glasgow*, *November* the 21.

The day of the Assembly being come, the *Marquess* his Commission was read in the afternoon, and nothing else done considerably that day. The next day a *Declinator* and *Protestation* was presented to the Commissioner, in the name of the Archbishops and Bishops, against the Assembly, and containing a Nullity of it. But it was denyed to be read, whereupon the Commissioner entred a *Protestation* against the refusal of it, and took instruments thereupon. The main cause of this refusal, was pretended to be, because nothing could be done, untill the Moderator were chosen, which was their next work: but when he was elected, and the Commissioner offered again the Declinator to be read, then they reply'd, that the Assembly must first be fully constituted. After this they proceeded to debate of the Elections, which they did with to cautelous a scrutiny, as they left no man standing in the quality of a Commissioner, who was not clearly agreeable to their minde. Though the admission of *Lay Elders* past not without some high contest. Many places (even the Presbytery of *Glasgow* for one) protesting against the legality of their Session, which was also the deeper resented by the Commissioner, because the King having nominated six *Lords* of his Privy Council to be Assessors to his Commissioner in that Assembly, they absolutely refused to entertain them, or allow their suffrage, affirming withall, that were the King himself present, he should have but one vote, and that no negative one neither.

The Commissioner concluding from these premises, that no good was like to be done by continuing the Assembly longer, *November* the 28. consulted with the Council about its dissolution, and it being agreed in the affirmative, he went to the Assembly, and told them,

You are now about to settle the lawfulnessse of this Judicature, and the competency of it against Bishops, neither of which I can allow; I am glad I have seen this Assembly met, a thing which was supposed his Majesty never intended, and for the further clearing the integrity of his intentions, let this Paper which I deliver to the Clerk to be read bear witnessse.

The paper being read by the Clerk, was a Declaration the same in every substantial point with the *Proclamation*, discharging the *Service Book*, *Book of Canons*, &c. This Declaration soon after

Ann. Christi
1638.

Bishops Pro-
test against
the Assembly.

Ann. Christi
1638

The general
Assembly dissolved.

Argile declares
for the Cove-
nanters.

Covenanters
begin to arm.

The rise and
growth of
Presbytery.

the reading, was signed by the *Commissioner*, and required to be entred into the Books of the *Assembly*; Provided that this *Act* of Registering this *Declaration*, should be no approbation of the lawfulness of this *Assembly*, to the dissolution whereof he was next to proceed, and therefore *protested*, that whatsoever should be done or said in it, should not be obligatory, or be reputed an *Act* of a *General Assembly*. The very night of the dissolution of this *Assembly*, the *Commissioner* assembled the *Council* to draw up a *Proclamation* for dissolving it, which being resolved upon, was subscribed by all, but the *Earl of Argile*, who began now to shew himself for the *Covenanters*.

The *Proclamation* being formed, and published, Nov. 29 was encountered with a *Protestation* of the *Covenanters*, That it is lawful for them to sit still, and continue the *Assembly*, and that they would still adhere to all their former *Protestations*; and accordingly pursuing the tenor of their *Protestation*; presently declared six former *General Assemblies*, (which they thought would dis-serve them) to be null, deprived all the *Bishops*; and some they excommunicated, and soon after abolished *Episcopacy* it self as inconsistent with the laws of that Church. And the *Commissioner* being returned in discontent for *England*, began might and main to levy *Souldiers*, to impose taxes, to raise fortifications, to block up some and seise others of the *Kings Castles*, and to prepare for Warre.

Now because this Warre was the *Epoche*, the *Nativity* day from whence all the series of this *Kings troubles* are to be computed, and all for the advancement of *Presbytery*, it may perhaps give satisfaction to some if I deliver the first rise, the motions, the processes thereof, and how it contracted such power within this Isle.

It was this year an exact *Century* since *Calvin* first set his foot into *Geneva*, where the *Bishop* being expelled, necessary it was some other Government should be succenturiated in stead of the former. *Calvin* being of high esteem there, the contrivance thereof was committed to his care. He observing the *Town Democratical* in the *Civil*, thought an *Ecclesiastical* state elemented of respondent principles, would sure best: upon which consideration he formed a *Consistory* of *Elders*, whereof a great part were *Lay*. And these were to manage all *Ecclesiastical* concerns. Famous was he for this new-model, no lesse then *Columbus* for his *America*, nor was it enough it was reputed a prudent institution, it must also be entituled to *Divine*, and *Sacred Scripture* tortured to declare as much. Most kind reception it found with the *Gallican*, and *Belgique Churches*. Where planted and sowed, the next design was to dispatch it over into *Great Britain*: to which effect *Beza* writes a complying

complying Epistle Commendatory to Queen Elizabeth, presenting this Geneva Plat-form, as the only desideratum wanting to Englands Reformation. The Queen was loath to proscribe so long a standard as Episcopacy, to entertain such an upstart in-mate as Presbytery, therefore gave Beza his saying, but not his desire; this was Anno 1560. And shortly after not only She, but the hole Parliament (whereof some members began now to incline to the Disciplinary Sect) were summoned again by Libels, called, *An Admonition to the Parliament*, and *Defence of that Admonition*, to the Abolition of Episcopacy, as Anti-christian. But all this notwithstanding both She and her Pan-Anglum, or great Councel, stood fixt and inexorable, so that all the efforts and attempts of the other party, could not produce any considerable unsettlement of that ancient discipline. In Scotland true it is, the new projected model prospered better; for the Earl of Murray, or rather the Prior of St. Andrews (base brother to the Queen) with his complices, Knox, Buchannan and others in their first Reformation, about Anno 1560. gave so terrible a shock to Popery, as made every thing, and by consequence Episcopacy, which stood neer it, to reel. Which nevertheless held them tug a skore of years, nor could they supplant it all at once, but gained upon it by degrees. First an Assmby at Dundee, Anno 1580. Ordered all Bishops upon pain of Excommunication, to resign up their Offices; and about three years after prevailed with the Parliament (the King being then in Minority) to annex their Temporalities to the Crown. Though this was acted in Scotland, yet was it not without instigation from England, and from some of her prime Nobility, animated by some Ministers who began to be now so pragmatical and bulie, as to preserve Ecclesiastical unity, the then Archbishop Whitgift by command from the Queen that very year contrived those three eminent Articles in the late Canons, whereto all who desired to enter into sacred Orders were strictly enjoyned subscription. The first acknowledging the Queenes Supremacie. The second, professing conformity to the Book of Common-prayer, and approbation of the book of ordering of Bishops, Priests, and Deacons. And the third assenting to the thirty nine Articles of the Church of England. Nor was the Hierarchie thus quite outed in Scotland, but somewhat revived again by the Parliament, ratifying the Clergy as the third Estate, Anno 1584. But the other party being resolved never to acquiesce, untill they obtained their minds, grew so impetuous as they, I cannot say perswaded, but even forced that State Anno 1592. to ratifie their Discipline. Thus did Episcopacy and Presbytery play *Leve-la-queve*, and take their turns of Government for about 30 years; but in the year 1598. King James, the Queen

Ann. Christi
1638.

The Queen
Mother of
France comes
into England.

Queen of *England* now declining, hoping his wardship to these hot spirits began now to expire, took up resolutions of animosity, and caused the Prelates to be restored to their ancient vote in Parliament, and published his Book called *Basilicon Dore*, expressing therein no great good will to the Consistorian Sect. And though *Anno* 1603. upon his first accession to the *English* Crown, he was saluted here with a Petition, pretended of a thousand Ministers, that they might appear the more formidable, yet did he slight their boldnesse, and in *Scotland* by severall Acts of a Parliament rescinded what had formerly been introduced to the prejudice of Episcopacy, so that from 1589. untill this present, the Presbyters durst never appear in opposition.

October the last *Mary de Medicis* the Queen Mother of *France* came to *London*, and so to *St. Jameses*. The people were generally male-content at her coming, and wisht her farther off. For they did not like her train, and followers, which had often been observed to be the Sword, or Pestilence, so that she was beheld as some meteor of ill signification. Nor was one of these calamities thought more the effect of her fortune, then inclination, for her restless and uncessant spirit was prone to imbroyl all wheresoever she came. Her impetuous banding and combining with *Monsieur* the Duke of *Orleans*, and the improsperity of that enterprise made *France* too hot for her, and drave her in the year 1631. to *Bruxels*, where the Cardinal *D' Infanta* treated her a while with most honorable careffes and respects, but *Flanders* which at first seemed her place of *Refuge*, became afterward her greatest danger, she being (as her own *Manifesto* sets forth) so hunted and pursued with continual imprecations and curses there, as she began to fear some violence to her Person, so that quitting that Countrey, she betook herself to the protection of the Prince of *Orange*, 1637. long she staid not there, but having received an invitation from the *Queen* her daughter she resorted hither.

The King
raiseth an
Army.

The King perceiving the *Scots* meditated nothing but war, thought it slender policy to strain curtesie with them, and to yeeld them the start, therefore by the advice of the Archbishop hastned the levies both of men and monies with all possible expedition, and because it was the *Bishops war*, he thought it requisite they should contribute largely towards the preservation of their own *Hierarchy*, and accordingly orders were issued from the Lords of the Council to the Archbishops of *Canterbury* and *York*, commanding them to send forth directions to all the Bishops within their Provinces, to convene the Clergy of their *Dioceses*, and to invite them to a liberal aid. What the precise product of the Clergy offerings was is not material to insert, nor could my information reach it, only it is presumable it was very ample, so

The Reign of King Charles.

1639

so as with that and the spontaneous contributions of divers of the Nobility and Gentry, the King had amass together a considerable power; whereof the Earl of Arundel had the chief conduct: with this strength the King, *March* the 27. the day of his inauguration, marched against the Scots, and *May* the 28. encamped within two miles of *Barwick*, and within view of the Enemy who were ready to receive him. But all the preparation both of one side and the other, proved only an interview of two Armies, nothing being acted considerable in way of engagement; for after some few dayes attendance each upon other in that quiet posture, an Overture came from the Scots of their supplication, that the King would appoint Commissioners to treat about a *Pacification*. The King most cheerfully embraced the motion, and nominated the Earls of *Pembrake*, *Salisbury*, *Holland*, and *Barkshire*, Sir *Henry Vane*, and Secretary *Coke*: to these were joyned on the Covenanters part, the Earles of *Rothes*, of *Dunfermlin*, the Lord *Loudon*, the Lord *Douglas*, *Alexander Henderson*, and *Archibald Johnston*. These having had many several debates, at length *June* the 17. concluded upon a *Pacification* distributed into these Articles,

Ann. Christi
1639
Goeth against
the Scots.

On the Kings part,

1. His Majesty to confirm what his Commissioner promised in his Name.

2. That a General Assembly be indicted, to be kept at *Edenburgh*, *August* the 6.

That command be given for a Parliament to be holden at *Edenburgh*, *August* the 20.

That he recal all his Forces by Land or Sea, and restore all ships and goods arrested and detained, since the pretended Assembly at *Glasgow*, upon the Covenanters disarming, and disbanding of their Forces, dissolving their Tables, and restoring to the King all his Castles, Forts, and Ammunition, and releasing all the persons, lands and goods then under restraint or detained since the pretended Assembly of *Glasgow*. This his Majesty to doe by Declaration.

A Pacification.

On the Covenanters part,

1. The Forces of Scotland to be disbanded within forty eight houres after publication of the Kings Declaration.

2. They

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1639.

2. They to render up, after the said Publication, all Castles, Forts, Ammunition of all sorts, so soon as the King shall send to receive them.

3. They to hold no meetings, treatings, nor consultations, but such as are warranted by Act of Parliament.

4. They to desist from all Fortifications, and those to be remitted to the Kings pleasure.

5. They to restore to all the Kings Subjects, their liberties, lands, houses, goods, and means taken or detained from them, since the 1. of February last.

June the 18. the King signed his Declaration, and the Covenanters their Articles: This pacification did at first generally excite exceeding great tokens of joy, wherein none had more reason to be sincere then poor *Aberdeen*; for the *Earl of Montross*, General of the Covenanters, was that very time marching towards that *University*, with a Commission to consume it by fire to ashes, upon suggestion that the Inhabitants had falsified their Oathes.

The Declaration and Articles being signed, and affairs carrying so calm a front of peace, the King had intentions of being present at the General Assembly; but this lucid interval proved but a weather-breeder, and the apprehensions of a *Pacification*, were soon transformed into an opinion that they were but dreams, inward hostility appearing through the diaphanous body of all the Scots actions.

For the Declaration was no sooner published, but at that very hour the Covenanters produced a *Protestation*. First, of adhering to their late *General Assembly* at *Glasgow*, as a full and free Assembly of their *Kirk*, and to all the proceedings there, especially to the sentences of deprivation and excommunication of the, sometimes pretended, Bishops of that Kingdom. Secondly, of adhering to their solemn *Covenant*, and Declaration of the Assembly, whereby the Office of Bishops is abjured. Thirdly, that no members of the Colledge of Justice shall attend the Session, (or Term) and if they doe, all their Acts and sentences shall be void and ineffectual.

Nor did they punctually perform any one Article: For they still kept their Officers in constant pay; they did not slight their Fortification at *Leith*, distant a mile from *Edenburgh*; they still continued their meetings and consultations; they still disquieted, molested, and frightened all of different inclinations. And which

The Covenanters still refractory.

which was worst of all, they dispersed a scandalous libel, entitled, *Some conditions of his Majesties Treaty with his Subjects of Scotland, before the English Nobility, are set down here for remembrance*: what these conditions were, I never could learn, but they being delivered into the hands of the *English Nobility*, whereof some had been Commissioners, they disavowed any such content of his Majesty in their hearing, and by an Act of Council the papers were appointed to be burnt by the Hangman.

Matters being in this doubtful posture, the King had little minde to see himself affronted, and thought these distempered disorders would be better born at a distance; therefore towards the latter end of *July*, he pleyes him home to *England*. *August* the 6. according to the Kings indiction, the Assembly met and sate at *Edenburgh*, and continued until the 24. The great transactions of this Assembly was the abolishing of *Episcopacy*, the five *Articles of Perth*, the *High Commission*, the *Liturgy*, and *Book of Canons*, all these assented to by the Commissioner, the *Earl of Traquir*.

The Assembly now risen, the Parliament being prorogued to *August* the last convened. The first four dayes produced an high debate about chusing the *Lords* of the *Articles*; in regard *Episcopacy* was abolished. The ancient usage was constantly this. The King first named eight *Bishops*; then those *Bishops* chose eight *Noblemen*; those *Noblemen* chose so many *Barons*; and these the like number of *Burgeses*: these thirty two, with eight Officers of the Crown, made up a compleat Committee of forty; who were to consider upon such *Articles* as were to be voted in *Parliament*, and this Committee were called *Lords of the Articles*. Now the Kings Commissioner demanded, that seeing the King anciently had the nomination of eight *Bishops*, his Majesty might not be prejudiced in his right by their expulsion, but that he might have the choice of the eight *Noblemen*: which the Parliament yeelded to for this once, but voted for the future every State should chuse their own Commissioners.

Then they entered into consideration of constituting the *Third Estate*, and what succenturation, what supplement should be resolved upon in the lieu of *Bishops*; the King urged the having of fourteen laicks, of such as were called *Abbas* and *Priors*, to represent the third *Estate*; but the Parliament voted, That *Estate* should be compleated by small *Barons*, who represented the *Commonalty*. Next they fell upon forming an Act *Rescissory*, whereby former Acts concerning the Judicatory of the *Exchequer*, concerning *Proxies*, and concerning confirmation of *Ward-lands* should be nulled.

The King finding such pertinacity of endeavours, not to reform abuses, but to new-model a Government, and totally to

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The generall
assembly meet.

Episcopacy a-
bolished.

The Parlia-
ment assemble.

Ingrateh
upon the Pre-
rogative.

Is prorogued.

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eclipse his *Regal* power, gave speedy Order to his *Commissioner*, the Earl of *Traguir*, to prorogate the *Parliament* untill the 2. of *June* next: which command being signified by the *Commissioner* to the *Parliament*, they presently entred into a Declaration, wherein they positively affirmed, that this *Prorogation* was ineffectual in Law, and of no force, it being made without consent of *Parliament*; that they might justifie their sitting still, yet out of their reverend regard to his *Majesty*, they were resolved for the present only to make remonstrance to him, of the reasons of their propositions, and proceedings in this *Parliament*; and that if it should happen, that after their Remonstrance, their Enemies should prevail by false suggestions against their Informations, that then it should not be to them an imputation, that they were constrained to take such course as might best secure the *Kirk* and *Kingdome*, from the extremity of confusion and misery.

After, and as a consequent of this Declaration, they sent their Deputies the Earl of *Dunfermlin*, and the Lord *London*, to present their Remonstrance. When the *Commissioner* came to the Court to make report of the proceedings of that *Parliament*, and the *King* appointed a select *Committee* of his Council, to hear both the one and the other; many very fierce and fiery recriminations there were counter-changed between the *Commissioner* and *Deputies*. But the *Deputies* insisted not at all upon qualification, but direct justification of all the Assemblies and *Parliaments* transactions, so far as they desired ratification of their constitutions; which the *Committee* thought could not be granted without lessening the *Sovereign* Authority, and then concluded that the *Covenanters* were no way reducible but by force. Thus stood matters between the *King* and them about the beginning of *December*.

And now it is high time for me to change my quarters, and for a while to visit *England*, and to survey the most noble parcels of occurrences there.

About the later end of *July*, the *Prince Elector* arrived here, into whose ensuing mis-fortunes I shall introduce you by the narrative of a late by-past adventure hitherto suppressd, through the interposition of the *Scotish* troubles. The *Prince*, with his Brother *Rupert*, had the last year gathered together in *Holland* a considerable beginning of an Army, with these they advanced into *Westphalia*, and late down before *Limgea*; whereof *Hatzfeld* General of the *Imperialists*, having notice, came speedily upon them, enforced them both to rise, and fight, and in the encounter slew two thousand of the *Palatines* party, took *Prince Rupert* and the Lord *Crauen* Prisoners, the *Prince Elector* very narrowly escaping. The *Prince* thus despoyled even of his

very

The Prince
Elector his ill
successes.

very hopes, indulged himself for the present a total repose of all designs tending toward his restauration. Now it fortuning that the last moneth Duke *Barnard* (that Heroique Commander) dyed, the Prince of *Orange* advised this Prince to resort to his Uncle the King of *England* for his assistance, and therewith to enter upon the head of Duke *Barnards* Army. But the King told him his home affairs were in that doubtful condition, as he feared they might require all the force he could command, but in regard the *French* Ambassador was then here, he promised to use the utmost of his interest with that King for his re-investing, and accordingly told the Ambassador, that he advised his Nephew to apply himself to his Master, and to joyn in League with him, and assured him what assistance he could spare. The Ambassador seemed to be very well pleased with the offer, and perswaded his Majesty, that the Cardinal *Richelieu*, who was the grand director of all the *French* Councils, would be glad to serve his Majesty or his Nephew, and presently dispatch letters of intimation to the Cardinal. But in the interim of this Treaty, in *November* the Prince was most unadvisedly advised to passe through *France* in a disguise, and so to come clandestinely to the *Swedish* Army: But the plot was not so closely carryed, but he was more then once discovered; for when he passed by the Kings Fleet at the *Downes*, he was saluted with a volce of shot; and the ship which landed him at *Boullen* discharged all her Ordinance; from *Boullen* he went to *Paris*, and so to *Lions*, where meeting with the Gentleman who was sent from the Ambassadour, he was discovered, and he denying himself, arrested. This the King of *France* took as an argument of no fair intentions towards him, and as a most perfidious part in a time of Treaty, so that he was kept a great while in the nature of a Prisoner, with a strict guard both of Horse and Foot about him.

But the grand businesse of this Summer, was a terrible encounter between the two Fleets of *Spain* and *Holland* in the *Downs*. The relation whereof from Sir *Fohn Pennington* was as followeth.

The *Spanish* Fleet consisting of neer seventy sail, bound and designed for *Dunkirk* in *Flanders*, with a recrute both of men and money, met with the Vice-Admiral of the *Holland* Fleet, having in his company seventeen tall ships, *September* the 7. and entred a very fierce dispute between them, untill the *Hollander* perceiving himself too weak, got to the wind-ward, sailing along with them towards *Dunkirk*, continually fiering their Ordinance to give warning to their Admiral, who lay before *Dunkirk* with the residue of the Fleet; in this encounter the *Hollander* had two ships sunk: the next morning by two of the clock, the

Engagement
between the
Spaniards and
the *Hollanders*
in the *Downes*.

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Admiral came up, and joyning with the Vice-Admiral, between *Dover* and *Calais*, they set upon the *Spaniards*, and continued a very sharp fight till past noon, wherein they had much the better, having taken two Gallions, sunk another, and much shattered the rest, though they were but twenty five sail, to the *Spaniards* sixty and upwards, and at length forced them upon the *English* coast neer *Dover*, where they left them, and bare off for the coast of *France*, not willing to attempt any thing against them within the *King* of *Englands* liberties.

The *Spaniards* being now got, as they thought, under the lee of *Englands* protection, began to plot how to get rid of their bad neighbours. And the *Spanish Resident* importuned the *King*, that he would keep the *Hollander* in subjection two tydes, that in the interim they might have the opportunity of shipping away for *Spain*; but the *King* being in amity with them both, was resolved to stand neuter, and whereas the *Spaniards* had hired some *English* ships to transport their souldiers to *Dunkirk*, the *King* upon complaint of the *Dutch* Embassadour, strictly commanded that none should take in any *Spaniards*, nor passe beyond *Gravesend* without License; but the *Spaniards* and the *Hollanders*, plotting a great while counter the one to the other, the *Spaniard* at length somewhat outwitted his Enemy, and by a stratagem in the night conveyed away fourteen *Dunkirk* ships, and in them four thousand men.

In the beginning of *October*, the *King* sent the *Earl of Arundel* to the *Admiral* of *Spain*, *Don Antonio D' Oquendo*, desiring him to retreat upon the first fair winde, because he would not they should engage within his Seas; but the winde continued Eastwardly so long (a thing not usual at that season) as the *Hollanders* had daily fresh supply from *Zealand*, so that at length their *Armado* was compleated to an hundred ships, wherewith they encompassed their Enemies within pistol shot for some dayes. But that which was so long an interview of these two great Fleets, at last turned to an engagement.

For the 12. of the same moneth *Van Trump* the *Dutch* Admiral, charged the *Spaniards* with Canon and fire-ships so furiously, as made them all cut their cables, and being fifty three in number, twenty three ran on shoare, and stranded in the *Dowries*, whereof three were burnt, two sunk, and two perished on the shore: one of these was a great Gallion the Vice-Admiral of *Gallatia*, *Don Andrea de Castro*, and had fifty two brasse pieces of Ordinance: the remainder of the twenty three deserted by the *Spaniards*, who went to land, were mann'd by the *English* to save them from the *Dutch*. The other thirty *Spanish* ships under the command of the *Admiral's* *Don Antonio d' Oquendo*, and *Lopus* of *Portugal*, went to Sea, and kept in close order, untill

till a great fogge fell upon them, when the *Dutch* taking his advantage, interpolated betwixt the Admirals and their Fleet, and fought them valiantly till the fogge cleared up, when the Admiral of *Portugal* began to flame being fired with two *Holland* fire ships, which *D'Opwends* perceiving, he presently took his course towards *Dunkirk*, with the Admiral of that place and some few ships more, for most of the rest were taken; of these thirty, eleven were sent prisoners into *Holland*, three perished upon the coast of *France*, one near *Dover*, five sunk in the fight, and only ten escaped. This Narration was sent from *Van Trump* himself to *Joachim* the then *Dutch* Agent here.

The first apparition of this *Armado* upon our Coast, was beheld by Countrey people as a representation of that *Invincible* One in 88. and that the main design of this, was like that, an Invasion. They thought the imbarquing of twenty five thousand Land-Souldiers, besides Mariners, were too many for a recruit. They thought the Admiral of *Naples* his refusal to shew his Commission, though required by the King, was but of ill signification; they wondered that the Town of *Dunkirk*, should so much dispute the reception of the four thousand which were conveyed thither, till the Cardinal *Infanta* sent expresse order, had those Forces been designed for their recruit. And this perswasion is so implanted in many, as it is still very difficult to make them unbelieve it: or not knowing, or not considering, that those Souldiers were unarmed, very few Officers amongst them, and the hole Fleet so poorly accommodated for invasion, as they had not powder enough for their own defensive offence, so that when they lay at anchor in the *Downes*, *London* was their choice Magazine, from whence they had their constant and daily supply.

These two potent Enemies, being both friends to *England*, the *British* Seas ought by rule of State to have been an harbour of retreat to secure the weaker from the stronger, not the scene of their hostile engagement; and had this presumptuous attempt of the *Hollander* met with a King, or in Times of another temper, it would not, it's like, have been so silently connived at, and their victory might have cost them the losse of *Englands* correspondence. But *Self-denyal* is a *Christian*, not a *Martial* vertue, and who is able to resist the temptation of an advantage, whereby he may destroy his foe, upon the nicety of exceeding his just limits. Besides the King, the *Dutch* well knew, was of a generous, as not querulous, so if provoked, very placable; and the disposition of his affairs, as well as of his minde, dissuaded from expostulating the matter with them.

About the beginning of *January* dyed Sir *Thomas Coventry*, Lord Keeper of the Great Seal of *England*, a Dignity he had fifteen

Sir Thomas Coventry dyeth.

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fifteen years enjoyed, If it be not more proper to say, That Dignity had enjoyed him so long, this later age affording not one of every way more apt qualifications for the place. His front and presence bespoke a venerable regard, not inferior to that of any of his Antecessors. His train and suit of followers was disposed agreeably to shun both envy and contempt; not like that of the Vicount *St. Albans*, or the Bishop of *Lincoln*, whom he succeeded, ambitious, and vain; his Port was state, theirs ostentation. They were indeed the more knowing men, but their learning was extravagant to their Office: Of what concerned his place he knew enough, and which is the main, acted conformable to his knowledge; for in the administration of justice, he was so erect, so in-corrump, as captious malice stands mute in the blemish of his fame: a miracle, the greater when we consider that he was also a *Privy Counsellour*. A trust wherein he served his Master the *King* most faithfully, and the more faithfully, because of all those Councils which did dis-serve his Majesty, he was an earnest dissuader, and did much dis-affect those sticklers who laboured to make the *Prerogative* rather tall, then great, as knowing that such men loved the *King* better then *Charles Stewart*. So that although he was a Courtier, and had for his Master a passion most intense, yet had he also alwayes of passion some reserve for the publick welfare. An argument of a true, noble, and right principled minde. For what both Court and Countrey have alwayes held as in-compossible and in-consistent, is in truth erroneous. And no man can be truly *Loyal*, who is not also a good *Patriot*, nor any a good *Patriot*, who is not truly *Loyal*. To this worthy Gentleman succeeded Sir *John Finch* formerly Lord Chief Justice of the Common Pleas.

The *Scotch* Revolters in the state I left them, were not like to meliorate nor to goe lesse in animosity, but every day administered recent matter of discontent, and of fomentation to the differences: and every event, of any considerable assise, must be interpreted as configurating and complying with the great cause.

It fortun'd that *November* the 19. being the *Anniversary* night of the *Kings* birth-day, a great part of the wals of the Castle of *Edenburgh* fell to the ground, with the Canons mounted: which caused such a consternation, such an Alarm in the Castle, as if they had been undermined and surprized; but that was not all, for this casualty upon a time of so much remarque, could then receive no other construction from the Grammar of Superstition, then an ominous presage of the ruine of the *Kings* design; especially considering that at that very same night the *Scotch* Commissioners returned from *England* to *Edenburgh*, so that the dilapidation seemed to import an humble prostration to the idolized *Covenant*.

But the craftiest (I say not the wisest) of the Combination, would

Edenburgh Castle-walls fall down.

would not trust to such fallacious conjectures; but willing to apprehend, and lay hold of any thing which offered its service to their enterprife, made a politique use thereof, and the *King* having appointed the Lord *Estrich*, Colonel *Ruthen*, and Governour of the Castle, to take order for the re-edification of what was lapsed, they refused to permit any materials to be carryed in for reparation: which so incensed the *King*, as he concluded the indignity intolerable, and presently entred into deliberation how to relieve himself by force under this oppression; but with whom he should consult, there lay the difficulty, the transactions of his Council must be more closely carryed then heretofore, for fear of correspondency with the *Covenanters*; to this end a private *Juncto* for the *Scottish* affairs, are selected from his Council, and great care taken, that those *hunting Lords* (as the *Archbishop* called them) *Pembroke*, *Salisbury*, *Holland*, &c. who were Commissioners at the Pacification, be excluded, though *Hamilton* was retained, more dangerous, and fallacious then all. At this close and secret Council, *Decemb. 5.* it was agreed his Majesty should call a *Parliament*, to assemble *April* the 13. The *King* told them he exceeding well approved of that Council, but withall he said, *My Lords, the Parliament cannot suddenly convene, and the subsidies they grant will be so long in levying, as in the interim I may be ruin'd; therefore some speedy course must be thought upon for supplies.* Whereupon the Lords told him they would engage their own credits, and the Lord *Deputy of Ireland*, giving the onset, subscribed for twenty thousand pounds; the other Lords had, some the same loyal zeal, and others the modesty not to refuse. The Lords of the Council did in this example implicitly give a law to the other Nobles, who generally conformed most cheerfully, saving some few whom singularity, or somewhat more portentous, restrained. Nor staid the project there, but every man must be in the mode. All the Judges, both of the Common and Civil Law, with all the Officers and appendants of their Courts, were sent for not to lend, as they were spontaneously inclined, but to contribute what others had assessed them. But the greatest non-Recusants, were the *Recusants*, who did strive with the forwardest, as ambitious to be reputed the *Kings* most loyal Subjects, and some Preachers were so bold, and withall so indiscreet, to style them so; the truth is, the *Queen* who could not be but equally concern'd in the *Kings* interest, finding they both now had all at stakes, bestir'd herself as eagerly with those her correspondents in religious persuasion, and imployed Sir *Kenelm Digby* and Mr. *Monsague* to negotiate with the *Romish* Catholiques for a contribution, who yielded it in a proportion agreeable to their abilities.

The *King* thus busie in providing against the *Scots*, (who began

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Their reparation hindered by the Covenanters.

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Commission-
ers sent to the
King from the
Covenanters.

began now to be bruited all over *England* for *Rebels*) they were as industrious to form their deportment in so supple a posture, as might de-marque and deface all tokens of so horrid an imputation. They resorted to the *King*, humbly craving leave to represent the state of all their transactions to his *Majesty*; the *King* said, he was accostable by any subject he had, and sure he would not deny that *congeable* access to an hole Kingdome, which he was ready to yeeld to any private man: therefore bad them come with confidence of impartial hearing. This answer being returned, the Covenanters sent up their Commissioners, the Earl of *Dumfermlin*, the Lord *London*, Sir *William Dowglas*, and Mr. *Barkly*; these being admitted, and their Commission examined, it was evident, that the two last was not named in, nor impowered by it, and that the other two were only authorised to assert the integrity of their actions, without making any real demonstration thereof, and had not the least order to propound such things as might accommodate the differences, or give the *King* any satisfaction at all. Yet the *King* was willing to allow them all the fair respect he in honour could, hoping to gain upon them by the sweetnesse of his carriage, but all would not doe: for at that very moment of their addressees to him, in the specious mode of suppiants, their actions spake very articulate, very expresse somewhat of a quite other signification. For many of the prime Nobility and Gentry of that Nation, who stood firm in their inclinations to they *King*, the secured, that is, imprisoned: They invited and procured to their service many Commanders from *Holland*, who still kept their places there, though such Officers as betook themselves to the *Kings* employment, were instantly casheired; they reared works of Fortification in all places agreeable to their designs. But the daring paramount, and above all others, was their imploring aid from the *French King* in a particular addresse to him as followeth,

S I R,

Their Letter
to the King
of France.

Your Majesty being the refuge and Sanctuary of afflicted Princes and States, we have found it necessary to send this Gentleman Mr. *Colvil*, to represent to your Majesty the Candor and Ingenuitie, as well of our Actions and Proceedings, as of our Intentions, which we desire to be engraved and written to the whole World, with the beam of the Sun, as well as to your Majesty. We therefore most humbly beseeke you Sir to give faith and credit to him

him, and to all that he shall say on our part, touching us, and our affairs, being most assured, Sir, of an assistance equall to your wonted clemency heretofore, and so often shew'd to this Nation; which will not yeeld the glory to any other whatsoever to be eternally

SIR,

Your Majesties most humble,
most obedient, and most
affectionate servants

Rothes, Montrose, Lesly, Marr,
Montgomery, Lowden, Forrester.

Though this was a *Conclave* secret, communicated to a very few, and kept under a most strict guard, yet did it at length evade from that close captivity, and was by some false Brother discovered to the King. His Majesty having had consultation with those about him concerning the character, it was at length assured him, that it must be the cheirography of the Lord Lowden, whereupon he was committed to the Tower, and kept there in close confinement.

Though the *Presbyterian* party stand charged in vulgar account as the principal and most notorious authors of these troubles; yet were they not the only men in the conspiracy, nor must it be thought but others were (though invisibly) accessary fomenters of them: For in case of general disturbance, nothing is more familiar then for several *Factions*, of several, and sometimes of contrary inclinations and interests, to protrude and drive on one and the same design, to several intents and purposes. And a foul blemish it would have been to the *Mercurialists*, to the *Society of Jesus*, should they have sate out in a work so proper to their employment (the incitation of *Kingdomes* and *States* to turbulent commotions) as these *Scotch* broyls. No, (good men) they slept not all this while, but were as diligent in their machinations as possibly they could be, the external glory of the enterprise their ambition did not reach, but they willingly rendred it up to the *Presbyters*: hoping in the interim to be

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A plot of the
Papists disco-
vered against
the King and
Archbishop.

the greatest gainers in the product and fruits of their labours.

How far they were of combination in this plot, though in a more subtle, secret and scarce discovered way, (their usual mode) the ensuing Narrative shall set forth; which I insert, not upon the account of Mr. Bryn's faith, who first made it extant, but because I am further assured of the truth of it, by a more credible person, and one of principal relation to Sir William Boswell; and because it may serve to illustrate some former passages of this History.

The first discoverer of this Plot was one *Andreas ab Habernfield*, a Nobleman of *Bohemia*, and Physician to the Lady *Elizabeth the Palatines* relict. This Gentleman by a Confident of his first made it known to Sir *William Boswell*, and by his means address himself to the *Archbishop of Canterbury* as followeth:

Most Illustrious and Reverend Lord,

We have willingly and cordially perceived that our offers have been acceptable both to his Royal Majesty, and likewise to your Grace. This is the only index to us, that the blessing of God goeth along with you, whereby we are the more extimulated, chearfully and freely to declare and discover those things, whereby the hazard of both your lives, the subversion of the Realms both of *England* and *Scotland*, the tumbling down of his Excellent Majesty from his Throne is projected. Now lest the discourse should be enlarged with superfluous circumstances, we will only premise some things which are meerly necessary to the matter,

First, be it known to them, that this good man, the Informer of the ensuing discoveries, was born and bred in the Pontifical Religion, and spent many years in Ecclesiastical Functions. At length being judged a fit person for carrying on the present design, by the advice and command of the Lord Cardinal *Barbarino*, he was made co-adjutor to *Con*, (the then Popes Nuncio) to whom he appeared so diligent, and sedulous in his office, that hope of great

great preferment was given to him; But he guided by a better inspiration, was not won by those sugar baits, and conscious to himself of the vanities of that *Religion*, (whereof he had sometimes been a strenuous Defender) having also observed the malice of the *Romish* party, found his Conscience much oppressed; for ease whereof he resorted in his belief to the *Orthodox Religion*. And thought it his best way to reveal a plot, tending to the destruction of so many innocent souls, conceiving his minde would better repose, should he vent what he knew into the bosome of some confiding friend. This done, he was seriously admonished by that friend, to give manifest tokens of his Conversion, and to deliver from imminent danger so many innocent souls. To this counsel he willingly consigned himself, and delivered the subsequent matters to writing, whereby the Articles lately presented to your Grace may be clearly explicated and demonstrated.

1. That the main of the businesse may be known, it is to be considered, that all these factions which this day make Christianity reel, have their rise from the *Jesuitical* off-spring of *Cham*, which branch it self into four Orders,

The first are *Ecclesiasticks*; these take into care the promotions of Religious affairs.

The second are *Politicians*; their office is to take care for the raising of civil combustions in, and reforming of Kingdomes.

The third are *Seculars*, who are properly designed for to intrude into offices of neer relation to the persons of Princes, to insinuate themselves into civil affaires of the Court, as bargains, and sales;

The fourth are men of a lower orb, *Intelligencers*,

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and spies; then to creep into the services of eminent persons, Princes, Earls, Barons, or the like, and endeavour to pervert or cheat them.

A society of so many Orders the Kingdome of *England* nourisheth; for scarce all *Spain*, *France*, and *Italy*, can yeeld so great a multitude of *Jesuites* as *London* alone, where are found more then fifty *Scotch Jesuites*; there the said Society hath elected for it self a seat of iniquity, and hath conspired against the *King* and his greatest confidents, especially against the Lord Archbishop of *Canterbury*, and likewise against both Kingdomes.

For it is most certain, that the said Society hath resolved upon an Universal Reformation in the Kingdomes of *England* and *Scotland*. And the determination of the end, necessarily inferreth a determination of the means.

For promotion therefore of the undertaken villany, this Society is dubbed with the title of *The Congregation for the propagation of the Faith*, which acknowledgeth the Pope of *Rome* for their Principal, and Cardinal *Barbarino* for his Substitute and Deputy.

The chief Patron of this Society is the Popes Legate, who hath special care of the businesse; into his bosome this rabble of Traitors weekly deposite their Intelligences. The Residence of this Legation was obtained at *London*, in the name of the Pope, by whose mediation it might be lawful for Cardinal *Barbarino* to work so much the more easily and safely upon the *King* and Kingdome. For none could so easily circumvent the *King* as he, who should be palliated with the Popes Authority.

Seignior *Con* was at that time the Popes Legate, the Universal Minister of that conjured Society, and a vehement promoter of the plot, whose secrets, as likewise those of all other intelligencers, the present Informer

Informer of all these things, did receive and dispatch as the businesse required.

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Con tampered with the chief men of the Kingdom, and left nothing unattempted by which he might corrupt them all, and incline them to the Romish party: he inticed with many various baits, the very King himself, he sought to delude with gifts of Pictures, Antiquities, Idols, and such like trumperies, brought from Rome, which yet prevailed nothing with the King.

Thus familiarly entertained by the King oft at Hampton-Court, and at London, he was entreated to undertake the cause of the Prince Palatine, that he would interpose his authority, and by intercession perswade the Legate of Colen, that the Palatine (in the next Diet for the treating about Peace) might be inserted into the conditions; which he promised, but performed the contrary. He intimated indeed, that he had been solicited by the King to such an effect, but did not advise any such consent, lest peradventure the Spaniards should say that the Pope of Rome did patronize an heretical Prince.

In the interim Con, travelling from the Archbishop, (the Kings most Confident) that the Kings minde was altogether pendulous, and doubtful, resolved to move every stone, and bend all his strength to gain him to his side; being confident he had prepared the means. For he had a command to make offer of a Cardinals Cap to the Lord Archbishop in the name of the Pope of Rome, and that he should allure him also with higher promises, that he might corrupt his sincere minde. Yet a fitting occasion was never offered whereby he might insinuate himself into the Lord Archbishop, to whom free accessse was to be impetrated by the Earl and

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and Countesse of *Arundel*, as also by Secretary *Windebank*, all whose intercessions he neglected, and did shun (as it were the Plague) the company or familiarity of *Con*. He was also solicited by others of no mean rank, well known to him, and yet he continued immoveable.

Trial also was made of another, Secretary *Cook*, who impeded access to the detestable design; an utter enemy he was to the *Jesuites*, whose access to the *King* he obstructed. He treated many of them as they deserved, he searcht into their factions, by which means every incitement breathing an attractive power to the *Romish* Catholiques was ineffectual with him; for nothing was so dear to him as his own innocence: whence being rendred odious to the conspirators, he was in perpetual hazard of losing his *Place*, which being laboured for three years, was at length obtained.

But for all this the *King* had left him a knotty peece, for the Lord *Archbishop* by his constancy opposed himself as an immoveable rock.

Con and his party finding the Lord *Archbishop* so impregnable, and that they laboured in vain, began to boyl with malice, and to plot how the Lord *Archbishop* together with the *King* should be taken.

Sentence also is passed against the *King* (who was the main concernment in the Plot) because nothing is hoped from him which might seem to promote the *Popish* Religion, but especially when he had once declared himself that he was of the minde, that any good and pious man may be saved in his own Religion.

To act the Treason undertaken, the criminal execution at *Westminster*, caused by some Puritanical writing, gave the first spark; a thing so much exasperated

exasperated and exaggerated by the Papists and Puritans, that if it went unrevenge'd it would be thought a blemish to their Religion, the flames of which fire the subsequent Liturgie encreased.

In this heat a certain *Scottish* Earl, one *Maxwel*, if I mistake not, was dispatcht to the *Scots* by the *Popish* party, with whom two other *Scottish* Earls were correspondents, he was to excite the people to commotion: He was to raise commotions, to re-inforce the sense of every injury, and to spur on the people to rebellion, whereby the great disturber of the *Scot's* liberty might be destroy'd.

There by one labour Inares are laid for the King, for which purpose the affair was so ordered, that very many *English* should adhere to the *Scots*. That the King should be inferiour to them in Armes, whereby he might be inforced to crave aid from the Papists, which yet should be denyed him, unlesse he would descend to conditions, by which he should permit a general toleration of the *Romish* Religion, which was the thing the Papists did aim at. And should he be difficultly brought to such rearms, there was a remedy hoped for.

For the young Prince (who from his Cradle was educated in advantage to the *Romish* persuasion) growing on fast in his youthful age, the Kings death was contrived by an *Indian* Nut, stuffed with a most fierce poyson, kept in the Society, (which Court then shewed me in a boasting manner) and prepared for him, as there was another for his Father.

During the *Scot's* troubles, the Marquess of *Hamilton* was often imployed by the King as Commissioner to compose disorders there, and pacifie the discontented party, but returned as often without fruit. His Chaplain repaired at that time to us, and had secret conference with Cav. of whom I demanded

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demand in jest, *Whether also the Jews agreed with the Samaritans; To which Con answered, I would to God all Ministers were like him; you may conjecture of this as you please.*

Things standing thus there came to London from Cardinal Richelieu, Mr. Thomas Chamberlain his Chaplain and Almer, a Scot by Nation, who was to assist the Colledge of confederacy to advance the businessse, and to attempt all wayes of exasperating the first heat: for this service a Bishoprick was promised him. Four months space he co-habited with the Society, nor was he permitted to depart, until matters succeeding as he wished, he might return with good news.

Sir Toby Matthew a Jesuited Priest of the Order of Politicians, the most vigilant of the chief Heads, (who never went to bed, but got a nap of an hour or two in a chair) day and night plotted mischief. A man principally noxious, and the very Plague both of King and Kingdome, a man most impudent, hunting all feasts called or not called, never quiet, alwayes in action and perpetual motion. Intruding into the company of all his betters, pressing discourses whereby to fish out mens inclinations; whatsoever he sucketh from thence either of advantage, or noxious to the conspiracy, he imparteth to the Pope's Legate, reserving the most secret intelligence for the Pope himself, or the Cardinal Barbarino. In short, he associates himself with any, not a word can be spoken but he layes hold of it, and accomodates it to his turn. In the interim all his observations he reduceth into a Catalogue, and every Summer carrieth it to the generall Consistory of the Jesuites Politiques, which privately meet in the Province of Wales, where he is a welcome guest. There are Councils closely hammered which

which are fittest for the ruining of the Ecclesiastique and Politique state of both Kingdomes.

Captain Read a Scot, dwelling in Long-Acre street neer the Angel Tavern, a Secular Jesuite, who for his detestable service performed (in perverting of a certain Minister of the Church, with secret incitements, to the Popish Religion, with all his Family, taking his daughter to wife) obtained as a reward an impost upon butter paid by the Countrey people, procured for him from the King by some chief men of the Society, who never want a spur where-by he may be constantly derained in his Office. In his house the whole plot is contrived, where the Society, which hath conspired against the King, the Lord Archbishop, and both Kingdomes, convene: but on the day of the Post's dispatch they meet in greater numbers; for then all their informers assemble, and confer their notes together; and that they may be the lesse suspected, convey all their secrets by Toby Mathew, or Read himself to the Popes Legate, who transmits the paquet of Intelligence to Rome.

With the same Read are entrusted the Letters brought from Rome, under forged titles and names, and by him delivered to whom they belong; for all their names are known to him.

Upon the same occasion Letters are also brought over under the covert of Father Philip (though he be ignorant of the plot) who distributerh them to the Conspirators.

In that very house there is a publique Chappel, wherein an Ordinary Jesuite consecrates, and dwelleth. In this Chappel Masses are daily said by the Jesuites, and the children of some of the Domestiques, and some Conspirators are baptized.

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They who meet there come often in Coaches, or a horseback in Laymens habit, and with a great train, wherewith they are disguised from notice, yet are Jesuites and Members of the Conspiracie.

All the Papists of *England* contribute to this Assembly, lest any thing should be wanting to promote the enterprize, upon whose treasury a Widow owner of the Houses where now Secretary *Windebank* dwelleth, and dead above three years since, conferred forty thousand pounds, and for the driving on of the businesse others contribute as they are able.

Besides the foresaid Houses, there are also other close Conventicles kept, but very distrustful of themselves, lest they should be discovered. First every of them (one not knowing of the other) are directed to certain Innes, and thence led by spies to the place of meeting, being otherwise ignorant of the place for feare of surprize.

The Countesse of *Arundel*, a strenuous she-Champion of the *Romish* Faith, beades all her powers for this Universal Reformation, nothing is done secretly, or openly at Court, but she imparts it to the Legate, with whom she meets thrice a day, sometimes at *Arundels* house, now at Court, or at *Tart Hall*.

The *Earl* himself being called about three years since, this year must goe to *Rome*, without doubt to consult there of matters pertinent to the design.

At *Greenwich*, at the *Earls* cost, a feminine School is erected, which is but a Monastery of Nuns; for the young Girles therein are sent forth, hither, and thither, into forain Monasteries beyond the Seas.

Master

Master Porter of the Kings Bed-Chamber, most addicted to the Popish Religion, is an utter enemy of the Kings, revealing all his secrets to the Legate by his Wite; for he rarely meets with him himself. In all his actions he is nothing inferiour to Toby Mathew, it is unexpressible how diligently he intends this businesse.

His sons are secretly principled in the Romish Belief, but open Professors of the Reformed: the eldest is now to receive his Fathers place under the future King: A Cardinals hat is provided for the other, if the plot takes.

Three years since, Mr. Porter was to be sent away by the King to Morocco: But was prohibited by the Society, lest the businesse should suffer delay.

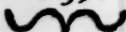
He is a Patron of the Jesuites, providing Chappels for them to exercise their Religion in, both at home and abroad.

Secretary Windebank a fierce Papist, is the greatest Traitor to the King of all. He not only revealeth the Kings greatest secrets; but also communicates counsels by which the design may be best advanced. He at least thrice every week converseth with the Legate in the Nocturnal Conventicles, and revealeth what is fit to be known: to which end he hireth an house neer to the Popes Legate, to whom he often resorts through the Garden door; for by this vicinity the meeting is facilitated. He is bribed with gifts to be a partner in the Conspiracy, by whom he is sustained, that he may more sedulously attend his charge; His son is sent expressly to Rome, on purpose to insinuate himself into his Holiness.

Digby and Winter, Knights, Mr. Mountague, who hath been at Rome, the Lord Sterlin, a Kinsman

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of the Earl of *Arundel*, a Knight, the Countesse of *New-port*, the Duchesse of *Buckingham*, and many others, who have sworn to this Conspiracy, are all most vigilant in the plot: Some are enticed with hope of Court, others of Political Offices; others attend to the sixteen Cardinals caps vacant, which are detained, so to feed with vain hopes those who expect them.

The President of the said Society was the Lord *Gage*, a Jesuited Priest, dead some three years since. He had a Palace adorned with wanton pictures as pretending to profaneness, but palliating thereby a Monastery, wherein forty Nunnnes were maintained, concealed in so spacious a Palace. It is situated in *Queens* street. The Jesuites have bought all this street, and have reduced it to a quadrangle, where a Jesuitical Colledge is tacitely built, with this hope, that it might be openly finisht assoon as the General Reformation was accomplished.

The Popes Legate useth a threefold Character, one common to all *Nuncio's*. Another peculiar to himself and Cardinal *Barbarino*. A third wherewith he covers some greater secrets to be imparted. Whatsoever things he receiveth from the Society, or spies, he packeth up in one bundle, with this addresse, *To Monsieur Stravio Archdeacon of Cambrai*; from whom they are sent to *Rome*.

These particulars considered, 'it will be evident to all,

1. That the Conspiracy against the *King* and Lord *Archbishop* is detected, and the means threatening ruin to them both is demonstrated.

2. The imminent dangers to both Kingdoms is declared.

3. The rise and progresse of the *Scot's* fire is related.

4. Means

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4. Means are suggested whereby their troubles may be appealed; for after the *Scots* shall see by whom, and to what intents their spirits are provoked, they will speedily look to themselves, neither will they suffer the Forces of both Kingdomes to be subdued, lest a middle party interpose, which seek the ruin of both.

5. With what sword the *Kings* Throat is assaulted, even when these stirs shall be ended, *Cons* confession and visible demonstration sheweth.

6. The place of Assembly in Captain *Reads* house is named.

7. The eight dayes dispatch by *Read*, and the Legate is described.

8. How the names of the Conspirators may be known.

9. Where this hole Congregation may be circumvented.

10. Some of the principal unfaithful ones of the *Kings* party are notified by name; and many, whose names occur not yet, their habitations being known, their names may be easily extorted from *Read*.

If these things be warily proceeded in, the strength of the hole businesse will be brought to light, so the arrow being foreseen, the danger shall be avoided, which that it may prosperously succeed, the *Almighty* Creator grant.

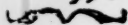
They who will diligently compare this Information with what hath conformably occurred in the preceding part of these *Annals*, and shall withall well consider the practices both ancient and modern of these pragmaticall spirits, will finde cause enough to think there was in it somewhat more then fiction, and that it may make some impression upon faith, without setting it upon the rack. Only one objection I shall rid out of the way, which may seem to discredit the truth thereof. And it is this.

The *Archbishop* of *Canterbury* stands aspersed in common fame, as a great friend at least, and Patron of the *Romish* *Catholiques*, if he were not of the same belief. And it were a policy mis-be-coming

An objection
answered re-
lating to the
discovery.

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coming such subtle Serpents, causelessly to plot the death of their so eminent well-wisher. To which I answer, by concession; True it is, he had too much and long favoured the *Romish Faction*, but as upon what account it was he favoured them is uncertain, so was it but the *Romish Faction*, not the *Romish Faith* he favoured. He rampered indeed to introduce some ceremonies bordering upon superstition, disused by us, and abused by them: from whence the *Romanists* collected such a disposition in him to their Tenets, as they began, not only to hope, but in good earnest to cry him up for their *Profelyte*. Upon this hypothesis, this supposition, they grew excessive proud and insolent, as well they might (knowing how grand a Confident and Trustee he was of the *Kings*) had not their perswasion misled them; But the *Archbishop* finding that his tacite reservedness in point of opinion, and former compliance with the *Papists*, was no longer expedient for his designs, and did begin to create ill-boading jealousies in another party, resolved to speak out, and un-beguile them both. And first in the year 1637. openly at the Councel Table, he passionately complained to the *King* of their audacious resort to *Denmark* house, using some expressions of vehemency more particularly against the haughty deportment of Mr. *Walter Mountague*, and Sir *Toby Mathew*. But that which most despighted them, was his publishing the next year the *Relation of his conference with the Jesuite* Fisher, wherein he declared himself so little theirs, as he hath for ever dis-abled them from being so much their own as they were before; it being the exactest, the master peece of *Polemique* Divinity of all extant. Pity it is his thoughts which were in other affairs a thought too-high, had so fatal a diversion from his studies. But what one is excellent in every thing? Now the *Archbishop* thus professedly owning the *Protestant* cause, and having so potent an influence upon the *King*, it was no wonder if he became as formidable to the *Romanists*, as *Hannibal* was to the *Romans*; (and where *Hannibal* was, there his enemies judged the life and soul of the *Carthaginian* strength to reside) and by consequence his destruction the main concernment of their interest.

Ubi Hannibal
est, ibi caput
atq; arx hujus
Bell. Liv.

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The Parliam-
ent assem-
bled.

April the 13. the *Parliament* sate according to preappointment, when the *Earl of Strafford* was led into the upper House by two Noble-men to give them account what feats he had wrought in *Ireland*, having there obtained the grant of four Subsidies for the maintenance of ten thousand Foot, and fifteen hundred Horse: implicitly hinting agreeable to what scheme *England* should proportion their supplies. Some few dayes after a report was made to the Lords, by the Lord *Cottington* (who with Secretary *Windebank* and the *Attorney* General were sent by the *King* to the Lord *London* to examine him,

him, concerning the Letter before mentioned) that the Lord did acknowledge the hand-writing to be his, that it was framed before the *Pacification* at *Barwick*, and was never sent to that *King*, but only prepared in a readinesse, should need require, and that it was suppress upon that *Pacification*; neverthelesse it was thought fit he should continue in the same state untill clearer evidence should be given, either for, or against him.

Soon after the the King sent a message to the lower house about supplies representing to them the intolerable indignities and injuries wherewith the *Scots* had treated him, and withall declared to them, that if they would assist him suitable to the exigency of his sad occasion, he would for ever quit his claime of Ship-mony, and into the bargain give them full content in all their just demands. But they reply'd they expected first security from his Majesty in these three particulars. First, for clearing the Subjects property; Secondly, for establishment of Religion; Thirdly, for the privilege of Parliament. Many conferences there were had between the Lords and Commons about this old contest which should precede, the Kings supply, or the Subjects grievances. The Lords after a long division among themselves at length voted for the *King*, and the Commons for the *Subjects*. But it was not long before this unhappy difference was most unhappily decided. For Secretary *Went* who was imploy'd to declare the particulars of the Kings desires, required twelve Subsidies, whereas twas said, his expresse order was for only six. Some there are suspect this mistake to have been not involuntary but industrious in him; but leaving that indetermined, the House of Commons was raised by this Proposition to such animosity, as the *King* adv.sing with his *Funkts*, their compliance was represented to him so desperate, as May the 5. he ordered the Dissolution of the Parliament.

Thus expired this short-lived, or rather thus ended this stil-born Parliament; a Parliament I know not whether more unfortunate, in beginning so late, or ending so soon. A Parliament which had power, and probably will enough to impede the torrent of the late civill War: for the breaches between the *King* and People were grown so high, as one might already discern all the lineaments of an insurrection in *Embryo*, but the head, whose Abortion nothing could cause but an happy union in Parliament, a thing not very difficult, much lesse impossible at this time. Had the King yeelded to a detrenching some luxuriances of his Prerogative, to the reducing Episcopacy to its primitive institution, that is to the frame by Divine Rights (a root which had not sap enough to maintain so spreading and flourishing a top as was contended for) to a more frequent and sociable communication of Councils with the grand Representative, in short to such swift and spontaneous concessions, as eing resolved upon too late, were (in reference to his personal safety)

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safety) lost and thrown away in the ensuing Parliament, in all likelihood he had much quieted the distempers of his subjects, much calm'd their animosities, why not totally gained their affections? and in order to all this his Majesty had now already modelled all his passions, all his inclinations. And as the King was disposed towards this blessed conjunction, so was there not so intense an opposition to the Kings satisfaction in the mind of the generality of the members of this Parliament, as was like to obstruct it. So that to counsel the dissolution of an Assembly so importing to the Kings and Kingdoms welfare must be the advice of men who understood not so well as they meant, whereof many laid the blame upon the *Archbishop of Canterbury*, a learned, pious and morally a good man, but too full of fire. As affaires of the Church then stood, Bishops might in reference to Ecclesiastical concerns be serviceable assessors in Privy Council, but in civil matters perhaps it had been better, had they been lesse active, according to the example of this *Archbishops* predecessor, *penultime*, and last but one *Archbishop Whitgift*, who being a Privy Counsellor, it was his constant mode to attend the Table early in the morning, and after the usual appreciation of a good morrow to the Lords, he alwayes requested to know if there were any Church businesse to be debated that forenoon; if the answer returned was, yea, he stayed; if negative, he craved leave to be dispensed withall, saying, *Then my Lords there's no need of me*, and so departed. A most laudable and prudentiall practise.

This convention was not more unhappily dissolved then another was continued, that is, as a witty Gentleman said well, *A new Synod made of an old Convocation*, which by new Commission from the King, were impowered to sit still: the impulsives to it are easily collected from what resulted from it.

The Convocation
fifteth.

The *Scottish* fires had already in that Kingdome consumed and burnt up to nothing Episcopacy both root and branch, and just cause there was to fear the like proceedings here in *England*, where many began not only to sit upon the Bishops skirts, that is, to controvert the mores and bounds of their authority, but to claim a *co-parcenary*, and equall share in the main possession, asserting, in good earnest, that though the Bishops had long Lorded over them through temporal indulgence, yet in the sacred Dialect they were as good men as themselves, *Bishops* and *Presbyters* in Scripture phrase being of equivalent import, and denoted the self same persons, without the least distinction, they whom Holy Text calls *Bishops*, having an *Identity*, a same-nesse of Name, of Ordination, of Office, of all qualifications necessary to that office, with *Presbyters*. The Prelates finding their dear *Palladium* so deeply concerned, and heaved at, were as eager to conserve it, the Presse swarmed with Books setting forth the Right upon which Episcopacy was founded, but all advantaged them

them little, for such a prejudice there was against them, and the Truth contended for lay then so deep, as few had perspicacity enough to discern it, so it did them little service, therefore the Bishops observing these levelling principles growing into such request took measure from their protest adversaries the generall Assembly of Scotland, with whom they so interferred. For as that Assembly having formed a Covenant for the destruction of Episcopacy, severely urged subscription to it: so did this Synod for the support of their Hierarchy frame as an Anti-covenant this Oath following.

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They impose a
new Oath.

I A. B. do swear, That I do approve the Doctrine and Discipline of Government established in the Church of England as containing all things necessary to salvation. And that I will not endeavour by myself or any other, directly or indirectly, to bring in any Popish Doctrine contrary to that which is so established. Nor will I ever give my consent to alter the Government of this Church by Archbishops, Bishops, Deans and Arch-Deacons, &c. as it stands now established, and as by right it ought to stand, nor yet ever to subject it to the usurpations and superstitions of the Sea of Rome. And all these things I do plainly and sincerely acknowledge and swear according to the plain and common sense and understanding of the same words, without any equivocation or mentall evasion, or secret reservation whatsoever. And this I do heartily, willingly, and truly upon the Faith of a Christian. So help me God in Jesus Christ.

Many things were exceedingly blamed in the contrivance of this Oath,

First, that seeing a clear notion of the thing sworne to (which the Prophet *Jeremy* comprehendeth under the word *Judgement*) is a necessary qualification to the legality of an Oath, this [*&c.*] was of so mysterious import as the very Imposers, much lesse the Jurours, were not able to decypher what it meant.

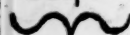
Secondly, some things were expressly to be sworn to, which were never thought to have any shew or colour of sacred Right, but were conceived arbitrary, and at the disposition of the State, and to exact an Oath of dissent from civil establishments in such things of indifferency, was an affront to the very fundamentals of Government.

B b

Lastly,

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Great Benevo-
lence to the
King.

Lastly, because the Juror therein declared he sware willingly, to which he was constrained under the highest penalties, that is, as that noble Lord said, *Under the losse of both Heaven and Earth, of Heaven, by excommunication; and of Earth, by deprivation.*

Again, they ran parallel with the Covenanters in another constitution, for as the *Scots* condemned the *Arminian* tenets without defining what those Tenets were, which King *Charles* noted as a strange proceeding in them, so did these the *Socinians* not declaring wherein they were culpable.

There was also framed by this Synod a Canon wherein the situation of the Communion Table should be at the East end severed with Railes to preserve it from profanation, and for permitting the practice or omission of bowing towards the East as men never persuaded within themselves, concerning the lawfulness and decency thereof.

And that his Majesties ratification of these Rules might as well be thought an act of gratitude as grace, they granted him a most ample Benevolence of four shillings in the pound assent upon all the Clergy for six years towards his expedition against the *Scots*, which was belied as an act of very high presumption and an usurpation upon the preeminence of Parliament; no Convocation having power to grant any Subsidies, or aid without confirmation from the Lay-Senate.

This Synod ended May the 29. and the first offender who became obnoxious to the animadversion of their new Law, was one of its late members, *Godfrey Goodman* Bishop of *Glocester*, who refused subscription to the Canons, and was thereupon suspended. This Bishop had been long suspected as addicted to the Romish belief.

The *Scots* having sped so well in their adventures against Sovereignty, *England* began now to be bewitched with their Principles, and to learn their Discipline of daring. Liberty is so sweet as few are of a temper too sober not to attempt it, especially when success hath opened the avenues of achievement, and rendered it seemingly attainable. Nor did we derive from them only the rudiments, but the method also of revolt. Our first probationary tumult commencing in a rude assault upon this Archbishop, as theirs upon the Archbishop of *St. Andrews*. Specious pretences they wanted not to honest, to justify the enterprize. That Parliament from which the whole Kingdome expected a Reformation of all enormities both in Church and Common-wealth, a total dissipation of all foggie jealousies between the King and People, an accommodation of all differences between *England* and *Scotland*; that Parliament had an immature, miserable, deplorable dissolution; and who bare the odium of that unfortunate advise comparably to *Canterbury*? Upon this

score

score a Paper was posted upon the *Old Exchange*, May the 9. *Exhorting Prentices to rise and sack his House at Lambeth the Munday following*; whereof the *Archbishop* having notice, prepared for his defence; and it was well he did so, for the *Munday* following, in the dead of night, about five hundred beset his Palace, and made many attempts to force an entrance, but all in vain, such provision had the *Archbishop* made for his security; but though he escaped the violence of their hands, yet did he not the virulence of their tongues, which did most impetuously rage against him, now with menaces, now with imprecations. The next day many of these riotous delinquents upon narrow inquiry were apprehended, and imprisoned in the *White-lion*, but within three dayes after some of their either complices, or adherents came in the day time, brake open the Prison, and enlarged them. Nevertheless one of their Captains was re-taken, condemned at *Southwacke*, and May the 21. for example sake, hanged and quartered.

The Parliament being blown away without affording any thing in nature of supply to the Kings wants, all the wheeles of the Prerogative are put into motion to carry on the War: First, the City of *London* were invited to a Loan, then all Knights and Gentlemen who held Lands in Capite of the King were summoned to send men, horses, and Armes agreeable to their abilities.

The City was sullen, would not give down their milk, and pleaded want of Trade and poverty: a very poor plea as her condition then stood, for how could want flow in upon a Nation from a Peace of forty years duration? And where Kingdomes thrive, the Mother Cities, which usually grasp and gripe all they can from the body, will be sure to secure themselves against necessity. No, she was luxuriant in wealth never more, and pampered with ease, so as her high repletion brought her into a *Cachexy*, an ill habit of body, this set her on longing and lusting after strange gods. She began now to be disciplined by Presbyterian emissaries, and resolved to fashion herself to the *Scots* designes. Again, the Prerogative had lately, as she thought, treated her somewhat roughly. Her Plantation of *London-Derry* in *Ireland*, was for some alleadged misdemeanours, not long before questioned in the Star-chamber, and there declared forfeited to the King, and fines imposed upon the Planters; This was of no pleasing re-sentment, and operated not a little towards their denial.

But the *Gentry* for the generality exhibited inclinations more prompt, and afforded their help to relieve the King. By this and other fore-mentioned aids the Royal Army began to Rendezvous, whereof the Earl of *Norshumberland* was appointed *Generalissimo*,

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The Archbishops Palace beset by prentices.

Ann. Ch. i. f. 11

1640

The King
goes against
the Scots.The Scots en-
ter England.The engage-
ment at New-
burn.The English
routed.New-castle de-
serted.

and the Earl of *Strafford* Lieutenant General, but the first fell presently into a great sicknesse, so as his conduct was dispensed withall, and the second was not of so perfect health as to undertake the chief command; whereby, the *King* resolved to assume it himself, and having staid the *Queens* safe delivery of her son *Henry* in *July*, *August* the 20. he set forward towards the North, his Army having preceded him many dayes before, being informed that the Scots were entred *England*; but he made not such hast thither, but before he could come to see it verified, he heard it in the sad effects thereof. For having reached as far as *Northallerton* towards *New-castle*, he was welcomed thither by the Lord *Conway* with the unwelcome news of a great defeat, his Army had received that day being *Aug.* 28. at *Newburn upon Tine*, the substance of which action was as followeth.

August the 27. the Lord *Conway* then Commander in chief, had drawn all his Cavallery, being about twelve hundred Horse, and about three thousand Foot, to secure the passe upon the River of *Tine* neer *Newburn*, the Foot he had lodged behinde a breast-work, thereby to infest the Enemy in their passage. That night Lord Generall *Lesly* came to the other side of the River, and before morning had planted nine peeces of Ordnance, having blinded them with bushes from the *English* observation. The next morning he sent to the Lord *Conway*, desiring his leave to passe towards his Majesty with their Petition; the Lord answered that he would permit a few, but not an Army to passe; whereupon *Lesly* commanded three hundred Horse to advance into the River, whom the Musqueteers from behind the Brest-works so galled, as they were enforced to retire, which *Lesly* perceiving, played upon that blinde with his Canon so furiously, as made them abandon their post, cast away their Aimes and fly: then the *Scots* Cavallery re-advanced, who were gallantly charged by Mr. *Wilmot* Commissary General of the Horse, but they were so annoyed with the *Scots* Canon, and withall so over-numbered, all the burden of the encounter being born by the Gentlemen, as they were compelled to retire in disorder. In this hostile aggression the *English* received far the greater losse, three hundred being slain and taken. The Lord *Conway* perceiving the Cavallery thus routed, and the Infantry run all away, hastened his retreat to the *King*, and for the same reason Sir *Jacob Astley* then Governour of *New-castle*, deserted it, having first sunk the Ordnance in the River, being well assured it was not tenable, as having nothing in it tending to Fortification.

The *English* Army retreating now from *New-castle*, was taken into the command of the Lord Lieutenant of *Ireland*, who brought up the Rear, and being come back to *York*, where the

King

The Reign of King Charles.

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King then was, he charged the principal miscarriage of the action upon the Lord *Conway*, who with as stout an animosity vindicated his own reputation.

Though the *Covenanters* prospered in *England*, yet an odd accident in *Scotland* discoloured their affairs into a melancholick complexion. For General *Lesly* having left some peeces of Canon at *Dunse*, which he thought more then necessary for his service, the Garrison of *Barwick* issued out to fetch them from *Dunse*, and posselt themselves of them; upon this an Alarm was given to the Earl of *Haddington*, then commanding in *Louthian* and the *Merse*. The Earl with two thousand Horse and Foot persues the *English*, and after a short skirmish rescued the Canon, which he carryed to *Dunglassie*. And being there at Dinner the next day with about fourteen or fifteen Knights and Gentlemen of note and neer alliance to him, very frolique and merry, in a moment the Magazine of powder which was in a Vault under the room where they dined, took fire and blew up himself with all his guests. Whether this was an accident or some industrious plot, was not known.

September the Lords *Mandevill* and *Edward Howard*, delivered to the King at *York* this Petition.

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The Earl of
Haddingtons
miscbance at
Dunse.

A petition presented to the
King by the
Lords.

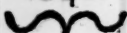
To the Kings most Excellent Majesty.

The humble Petition of your Majesties most loyal and most obedient Subjects, whose names are under written in behalf of themselves and divers others.

Most Gratiours Sovereign,

The zeal of that duty, and service, which we owe to your Sacred Majesty, and our earnest affection to the good and welfare of this your Realm of *England*, have moved us, in all humility, to beseeke your Royal Majesty, to give us leave to offer to your Princely wisdom, the apprehension, which we and others your faithful Subjects have conceived, of the great distempers and dangers now threatening the Church and State, and your
Royal

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Royal Person, and of the fittest means by which they may be removed and prevented.

The evils and dangers whereof your Majesty may be pleased to take notice, are these.

1. That your Majesties Sacred Person is exposed to hazard, and danger in the present expedition against the *Scottish* Army; and by occasion of this War your Majesties revenue is much wasted, your Subjects burthened with Coat and conduct Money, billeting of Souldiers, and other Military charges, and divers rapines and disorders committed in several parts of this your Realm, by the Souldiers raised for that service, and your hole Kingdome become full of fears and discontents.

2. The sundry innovations in matters of Religion, the Oath and Canons lately imposed upon the Clergie, and other your Majesties Subjects.

3. The great encrease of Poperie, and the employing of Popish Recusants, and others ill-affectd to the Religion, by laws established, in places of power and trust, especially in commanding of Men, and Armes, both in the Field, and sundry Counties of this your Realm, whereas by law they are not permitted to have any Armes in their own houses.

4. The great mischiefs which may fall upon this Kingdome, if the intentions which have been credibly reported of bringing in *Irish* and forain Forces, should take effect.

5. The urging of ship-money, and prosecution of some Sheriffs in the Star-chamber for not levying of it.

6. The heavy charge upon Merchandise, to the discouragement of Trade, the multitude of Monopolies, and other Patents, whereby the Commodities and Manufactures of the Kingdome are much burthened

burthened, to the great and universal grievance of your People.

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7. The great grief of your Subjects, by long intermission of Parliaments, and the late and former dissolving of such, as have been called, without the happy effects which otherwise they might have produced.

For remedie whereof, and prevention of the dangers that may arise to your Royal Person, and to the hole State; they doe in all humilitie and faithfulnessse beseeke your most Excellent Majesty, that you would be pleased to summon a Parliament within some convenient time, whereby the causes of these, and other great grievances which your People lie under, may be taken away, and the Authors and Counsellors of them may be there brought to such legal trial, and condign punishment, as the nature of their severall offences shall require. And that the present War may be composed by your Majesties wisdom without blood, in such manner as may conduce to the Honor and safetie of your Majesties Person, the comfort of your People, and the uniting of both your Realms against the common Enemie of the Reformed Religion. And your Majesties Petitioners shall ever pray, &c.

Concluded the 28. of
August, 1640.

Francis Bedford

William Hartford

Robert Essex

Warwick

Mulgrave

Bullingbrook

Say & Seal

Mandewil

Edward Howard

Brook

Paget.

The

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The Kings Answer.

Before the receipt of your Petition, his Majesty well fore-saw the danger that threatens himself and Crown; and therefore resolved the 24. of this moneth to summon all the Peers, and with them to consult, what in this case is fittest to be done, for his own Honor, and safety of the Kingdome, where they with the rest may offer any thing that may conduce to these ends.

According to this resolution, the Lord Keeper had directions from the King to issue out writs of Summons for their appearance at York on the 24. day of September, which he punctually persued.

Soon after the presenting of this Petition from the Lords, came another from the Scots, the substance whereof was a desire, that his Majesty would call a Parliament, for seeking a firm peace between the two Nations.

To this Petition the King reply'd, with signification of what he had ordered before in reference to the welfare of himself and both Kingdomes.

And it was high time for an accommodation to be effected, for *Lesly* now began to rant it in *New-castle*, and the parts adjacent, as *Brennus* did at *Rome*, with a *Va victis*: he imposed a tax of three hundred and fifty pounds *per diem* upon the Bishoprick of *Durham*, and three hundred pound upon *Northumberland*, upon pain of plundering, and yet permitted souldiers to rifle houses, break up shops, and act what insolencies they pleased, seized upon four great *English* ships laden with corn, as lawful Prize, they not knowing in whose possession the Town was, till they entred the Haven.

The first day of the Lords assembling at York, it was resolved that a Parliament should be summoned to convene November the 3. Then a message was sent to the Scots, desiring a speedy Treaty at York. The Scots reply'd they held that no place of security for their Commissioners, considering that he (the Lieutenant of Ireland) who commanded his Majesties Army, was one who

The Scot's
oppressions in
Northum-
berland.

A treaty be-
tween the En-
glish and
Scotch.

who had proclaimed them Traitors in *Ireland*, before the *King* had done the same in *England*, and who had threatned to destroy their Nation both *root and branch*. And against whom, as a chief Incendiary of the late troubles, they intended to complain. Hereupon it was concluded that the Treaty should be held at *Rippon*. The place being agreed upon, the next stage of resolutions was to the nomination of persons thought fit to treat, which being determined, and assented to on both sides, and the Commissioners met to full upon consultation, the *Scots* took exceptions at the Earl of *Traquairs* being present at their debates, he being not nominated either by the *King* or Parliament of *Scotland* as a Commissioner; whereof the *King* being advertised, and advising with his Counsel, this answer resulted from them, *That though the Earl was not authorised to treat as a Commissioner, nor to Vote in the debates; yet was it very reasonable he should be present, in regard all things which require debate, as the Laws and Customes of the Kingdom of Scotland, and all Passages of the Assembly and Parliament (to which the English Commissioners are strangers) are best known to him.* This answer being returned, the *Scots* superseded from further opposition in that subject, so that the Commissioners fell directly upon their employment.

The first thing propounded by the *English*, was a Cessation of Arms: but the *Scots* said many other things were to be of anteriour consideration. As their affairs stood, untill they had obtained what they came for, home they must not return; & forward they durst not advance, his Majesty having commanded the contrary, so that there was an urgent necessity of their continuing their present quarters, which they were unable to do, unless some way were stated for their subsistence: Again, some particulars were to be predetermined of necessary relation to the Treaty; therefore *October* the 2. they presented the *English* Lords with these subsequent Demands.

- " 1. We desire your Lordships to take into your considerations, how our Army shall be maintained until the Treaty be ended, and our peace secured.
- " 2. If a greater number of Commissioners be required, that a convoy be granted for their safe arrival.
- " 3. A safe convoy for all letters from us to the *Parliament*, and from them to us.
- " 4. That for the benefit of both Kingdomes, there may be a free commerce; and that the common trade of *New-castle* be not hindered, but especially for victuals.

The first of these demands seemed very harsh to the *English*, who thought it most unreasonable to maintain the *Scots* at such a time when the *Kings* Army was in more distresse: but the sword oft gives law to reason; so when accosted by sturdy beggars, our

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fear is more liberal then our charity, and to deny the Scots any thing, considering their armed posture, was interpreted the way to give them all; upon which apprehension our Commissioners applyed themselves very sedulously to such results, as did both comply with their demands and were serviceable to the ease and quiet of the oppressed Countries; these were formed into thirteen Articles and agreed upon the 16. of *October*.

These previous obstructions being thus removed, the Commissioners next proceeded to the Treaty of Cessation, which after several debates produced, *Octob. 26.* these ensuing Articles, and were after signed by his Majesty.

1. That there be a Cessation of Armes, both by Sea and Land, from this present.

2. That all acts of hostility doe henceforth cease.

3. That both parties shall peaceably return, during the Treaty, whatsoever they possesse at the time of the cessation.

4. That all such persons who lived in any of his Majesties Forts beyond the River of *Tees*, shall not exempt their lands which lye within the Counties of *Northumberland* and the Bishoprick, from such contributions, as shall be laid upon them for the payment of eight hundred and fifty pounds *per diem*.

5. That none of the *Kings* Forces upon the other side of *Tees*, shall give any impediment to such contributions, as are already allowed for the competency of the *Scotch* Army, and shall fetch no victuals, nor forrage out of their bounds, except that which the Inhabitants and owners thereof shall bring voluntarily unto them, and that any restraints or detention of Victuals, Cattle, or Forrage which shall be made by the *Scots* within those bounds for their maintenance, shall be no breach.

6. That no recrute shall be brought into either Armies, from the time of cessation, and during the Treaty.

7. That the contribution of eight hundred and fifty pounds *per diem*, shall be only raised out of the Counties of *Northumberland*, *Bishoprick*, Town of *New-castle*, *Cumberland*, and *Westmerland*: and that the not payment thereof, shall be no breach of the Treaty, but the Countries and Towns shall be left to the *Scots* power to raise the same, but not to exceed the sum agreed upon, unlesse it be for charges of driving, to be set by a priser of the forrage.

8. That the River of *Tees* shall be the bounds of both Armies, (excepting alwayes the Town and Castle of *Stockton*, and the Village of *Eggscliff*) and the Countries of *Northumberland* and *Bishoprick* be the limits, within which the *Scots* Army is to reside, having liberty for them to send such convoyes as shall be necessary for the gathering up only of the contribution, which shall

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shall be unpaid by the Countie of Northumberland and Cumberland. That if any person commit any private insolence, it shall be no breach of our Treaty, if, upon complaint made by either parties, reparation and punishment be granted. If victuals be desired upon the price which shall be agreed upon, and ready money offered for the same, and refused, it shall be no breach of the Cestation to take such victuals paying such prices.

11. No new fortifications to be made, during the Treaty, against either parties.

12. That the Subjects of both Kingdomes may in their Trade of commerce freely passe to and fro, without any stay at all; but it is particularly provided, that no member of either Army, passe without a formal Passe, under the hands of the General, or of him that commands in chief.

This Treaty at Rippon was but the *Parascene*, the preparation to another of higher import, for the time being far spent and the *Scots* chief demands to be considered of, the Lords by consent of the *Scots* became humble suitors to his Majesty, that the general Treaty should be transferred to London, to which the King agreed. Hostility being thus sopited, thus laid to sleep, betwixen us and Scotland, the King and Lords posted to London.

One thing very remarkable may here have a commodious situation. *James* Earl of *Montrose* having long and faithfully adhered to the Covenanters, began at length, as he thought, to smell out the rancidity, and ill favour of their intentions, and that they really minded nothing lesse then what they so solemnly professed, *The Honour of his Majesty, and preservation of Religion*; no sooner did this apprehension seise upon him, then he meditated disengagement, but finding the work would require his best artifice, he dissembled his intent a good while, seemed as active as before, was the first man of that Army, who in this last expedition set foot on *English* ground, thus studying to appear faithful and foryward in petty things; that when time served, he might betray them to better purpose; but the *Scots* marching over the *Tyne* lesse disturbed then he expected, he was much disappointed, of that opportunity he so longingly attended, yet kept the same loyal inclinations toward the King, which taking advantage of the Treaty, he found means to notifie to his Majesty by letters, wherein he professed his fidelity and most ready obedience to him; these letters were by some of the Kings Bedchamber-men, the supposed instruments of *Hamilton*, secretly taken out of his Majesties pocket in the night, copyed out, and communicated to the Covenanters at *New-castle*, who concealing their information, did not with all conceal their malignity against the Earl, but laboured all they could

The Earl of
Montrose declines from the
Covenanters.

The Kings
pockets rifled.

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could to render him odious to the people, and thereby unserviceable to his Majesty. This rifling of his Majesties pockets (worse then of his Coffers) was the first experiment made upon him in that kinde, but of too familiar practise, to the betraying of his most secret Councils, so that the Archbishop of Canterbury writing to the King concerning the plot against him discovered by *Andrew ab Habersfield* puts in this caution, concerning those letters. *Sir I beseech you trust not your own Pockets with them.* Tacitely hinting what Legerdemain had been formerly exercised upon the Kings Pockets.

The Parliament was approaching, whose convening was attended by this Kingdome with so much longing, such impatience of desires, as every moment which retarded it was interpreted a kinde of grievance to the subject: for we began now to think nothing could make us happy but a Parliament, and that no Parliament could make us miserable: this was the sense of the greater part of this Nation, and if this Parliament succeeded not adequate to some mens vote, perhaps the miscarriage of their hopes may be somewhat imputed to this sense. Over-ruling Providence delights oft to order the operations of Agents, both free and natural, counter to mans expectation; to teach us the vanity of that Faith, which is founded upon causes subaltern.

Tuesday November the 3. being the day prefixed, and the Parliament assembled, his Majesty spake.

My Lords,

‘ The knowledge that I have of the *Scottish*
 ‘ Subjects, was the cause of my calling of the
 ‘ last Assembly of *Parliament*, wherein if I had
 ‘ been believed, I do most sincerely think that
 ‘ things had not fallen as we now see; but it is no
 ‘ wonder that men are so slow to believe that
 ‘ so great a sedition should be raised upon so
 ‘ little ground. But now (*my Lords* and
 ‘ *Gentlemen*) the honour and safety of this
 ‘ Kingdome lying so heavily at stake, I am
 ‘ resolved to put my self freely upon the love
 ‘ and

The Parlia-
 ment sit.

The Kings
 speech.

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and affections of my *English* Subjects, as
 those of my Lords that waited on me at
 York very well remember I there declared.
 Therefore (my Lords) I shall not mention
 mine own interest, or that support I might
 justly expect from you till the common safe-
 ty be secured, though I must tell you, I am
 not ashamed to say, those charges I have been
 at, have been meerly for the securing and
 good of this Kingdome, though the success
 hath not been answerable to my desires.
 Therefore I shall only desire you to consider
 the best way both for the safety and security
 of this Kingdome, wherein there are two
 things chiefly considerable. First, the cha-
 sing out of the *Rebels*. And secondly, that
 other, in satisfying your just grievances,
 wherein I shall promise you to concur so
 heartily and clearly with you, that all the
 world may see my intentions have ever been,
 and shall be to make this a glorious and flou-
 rishing Kingdome. There are only two things
 more that I shall mention to you. The one
 is to tell you, that the Loan of mony which I
 lately had from the City of *London*, wherein
 the Lords who waited on me at *York* assisted
 me, will only maintain my Army for two
 months from the beginning of that time it
 was granted. Now (my Lords and Gen-
 tlemen)

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'tlemen) I leave it to your consideration, what
 'dishonour and mischief it might be, in case
 'for want of money my Army be disbanded,
 'before the *Rebels* be put out of this King-
 'dome. Secondly, the securing of the cala-
 'mities the Northern people endure at this
 'time, and so long as the Treaty is on foot.
 'And in this I may say not only they, but all
 'this Kingdom will suffer the harm, therefore
 'I leave this also to your consideration. For
 'the ordering of the great affairs whereof you
 'are to Treat at this time; I am so confi-
 'dent of your love to me, and that your care
 'is such for the honour and safety of the King-
 'dome, that I shall freely leave to you where
 'to begin: only this, that you may the bet-
 'ter know the state of all affairs, I have com-
 'manded my Lord *Keeper* to give you a
 'short and free account of those things that
 'have happened in this *interim*, with this Pro-
 'testation, that if his account be not satisfa-
 'ctory, as it ought to be, I shall whensoever
 'you desire it, give you a full and perfect ac-
 'count of every particular. One thing more
 'I desire of you, as one of the greatest means
 'to make this an happy Parliament, that you
 'on your parts, as I on mine, lay aside su-
 'spicion one of another, as I promised my
 'Lords at *Tork*, it shall not be my fault
 'if

if this be not an happy and good Parliament.

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w

The King having ended, the Lord Keeper, in pursuance of his Majesties commands, gave them a summary relation of all things relating to the Scottish Invasion, I dare not say Rebellion, for that the King represented them under that disgustfull character, was very ill resented by some considerable persons; whereof his Majesty having notice, told the Parliament two dayes after, *He must needs call them Rebels, so long as they have an Army that do invade England.*

The remainder of that week was spent partly in settling Committees for general Grievances, and partly in set speeches of Rhetorically declaiming against, and dissecting them.

Munday being the 9. of *Novemb.* Petitions came thronging in from all Countries of the Kingdom, craving redresse of the late general exorbitances both in *Church* and *State*, as also from particular persons who had smarted under the lash of the Star-Chamber, Council-Table, and High Commission Court. *Novemb.* the 10. these Petitions were delivered to Grand Committees, and divers ordered to be enlarged out of Prisons, to make their defences, especially *Prynne*, *Bastwick*, and *Burton*.

Several Petitions against Grievances.

In the House of Lords, *Novemb.* the 10. there was a complaint made that their priviledges had been temerated and infringed, by the search of the Earl of *Warwicks* and the Lord *Brookes* studies, Cabinets and Pockets, upon the dissolution of the last Parliament, and *Sir William Beecher* the instrument employed in that action, was sent for to give account by what authority he proceeded, who alleaged he had a warrant therefore from the two Secretaries of State, whereupon he was committed to the Fleet.

Priviledges of the Lords House violated.

The next day Mr. *Pym* was sent from the Commons to the Lords with a message of Impeachment of High Treason, charged upon the Lieutenant of *Ireland*, whereupon he was requested from the Parliament house, and committed to the Usher of the Black Rod, and in order to his further accusation, *Sir George Ratcliff* a great confident of the Lieutenants, and a supposed con-criminary with him, was two dayes after sent for out of *Ireland* by a Serjant at Armes.

The Lieutenant of Ireland impeached of Treason.

The two Armies in the *North* lay heavy upon these Countries where they quartered, and their pressures were like to encrease unlesse some supply were speedily dispatcht to them; therefore *Novemb.* the 12. the House resolved upon an 100,000 l. for

The Northern Armies in want.

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Bishop of Lin-
coln enlarged.

for their present pay, and untill the monies could be levied by way of Subsidie, they were borrowed of the City of London upon interest; divers members of the Parliament engaging for them

Munday the 16. the Lord Bishop of *Lincoln* was set free of his impritment in the *Tower*, upon the suit of the House of Peers to his Majesty, and the next day (being a day of Humiliation) he was brought into the Abbey Church by six Bishops, and officiated there as Dean of *Westminster* before the Lords. The House of Commons assembling according to their ancient mode in *St. Margarets Church*, while the second-service was reading at the Communion Table (sutable to the late and antient practise,) it was disturbed by a Psalme begun, at which many were amazed.

The *Earl of Strafford* entring now into his state of trans-figuration, from the high pitch of honour, to the condition of du-rance, found his friends active and awake to serve him with their best endeavours, in all things relating either to his reputation, or safety. In order to which it was the 19. day precariously moved, 1. That he might be bailed, divers Lords freely tending themselves to that end; But the Lord *Paget* declared it was against the lawes of the Land, and privilege of the House, in which opinion the major part of the Peers acquiesced. Then it was prayed he might have Councel assigned him, and a Solicitor, in regard he was under so strict a restraint. Both which were condescended to.

The 21. one *John James*, son of Sir *Henry James* of *Feversham* in *Kent*, a Romish Catholique, stabbed Mr. *Howard* (a Justice of Peace for *Westminster*) in *Westminster-hall*, to the great hazard of his life. The impulsive to this savage assault, was supposed to be because Mr. *Howard* had framed a list with the names of such Recufants, as were within the liberties of *Westminster*, which he was to deliver up to the Committee for Religion. Mr. *James* was committed to the Gatehouse, and the King sent an expresse to the Commons that they should proceed severely against him.

The 28. Mr. *Prynne* and Mr. *Burton* were brought into London in great pomp and state, being conducted with many thousands of horse and foot, having sprigs of Rosmarine in their hands, to the great dishonour and defying of those Courts, which had passed sentence against them, and Decemb. the 3. were admitted into the house of Commons, to present their Petitions against the Prosecutors.

The Parliament began now to appear so formidable to all who laboured of any bad character, as the very terrour was a kind of proscription and exile; upon this very score Sir *Francis Windebank*.

Justice Ho-
ward assaulted
by a Papist.

Pryn and Bur-
ton enter Lon-
don in triumph.

Secretary Win-
debank flyeth.

banck, Secretary of State, having been questioned for replevying Priests, and suspected guilty of worse matters, Decemb. 5. slyly slipt aside into France.

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Votes against
Shipmoney.

The 7. it was unanimously voted by the Commons,

1. That the charge imposed upon the subject for the providing and furnishing of Ships, and the Assessments for raising of money for that purpose (commonly called Shipmoney) are against the Lawes of the Realme, the Subjects right and property, contrary to former resolutions in Parliament, and the Petition of Right.

2. That the extra-judicial opinion of the Judges published in the Star-Chamber, and enrolled in the Courts of Westminster, are in the whole and in every part of them against the Lawes of the Realm, &c. ut prius.

3. That the Writs (commonly called the Shipwrits) are against the Lawes of the Realm, &c. ut prius.

4. That the Judgmen in the Exchequer in Mr. Hambdens case, is as to the matter and substance thereof, against the Lawes of the Realm, &c. ut prius.

From the damning of the Tax, to the censure of the contrivers of it, the motion is natural, as to a proper consectary of it; and this consideration led the Parliament first to fix upon the (so thought) leading man therein, the Lord Keeper Finch, and the rest of the Judges; and accordingly the next day a Committee was appointed to draw up a charge of high Treason against them.

Decemb. the 11. Alderman Penington with some hundreds at his heeles came to the House of Commons, and presented a Petition from the Citizens (not from the City) of London, subscribed by 15000. lamentably complaining against the Ecclesiastical Discipline and many ceremonies of the Church of England; which raising too much debate for a speedy determination, was transmitted to another time.

The London
Petition against
Bishops.

Their next advance in the work of reformation, was an inspection into the illegality of the late Convocation, and Canons thereof; and upon full hearing of all arguments urged on both sides, the House resolved Decemb. the 15. That the Clergy in a Synod or Convocation hath no power to make Canons, Constitutions or Lawes to bind either Laity or Clergy, without a Parliament; and the next day voted, That the Canons are against the fundamental Lawes of this Realm, against the Kings Prerogative, Property of the Subject, the right of Parliaments, and do tend to faction and sedition.

The late Ca-
nons damp'd.

Dependent upon this Declaration next follows the appointment of a Committee to prepare a charge against the Archbishop of Canterbury, as one of prime re-marque in forming of these Canons, and for other supposed Delinquences: the Scots having

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Lord Keeper
Finch defends
his innocency.

Is voted Trai-
tor.

Flyeth.

complicated him with the Earl of *Strafford* in their grand accusation against him (presented to the House of Lords by the Lord *Paget*, Decemb. the 17.) under the character of an incendiary in this national difference, and the 18. was voted guilty of high Treason, and committed to the Usher of the black Rod.

The same day there was also a select Committee nominated, to inquire into the branches of the privileges of Parliament, by the commitment of several members 4. *Carols*, as Sir *Marmaduke Langdale*, Mr. *Crow*, &c.

The Lord Keeper *Finch* observed himself to stand upon a very tickle point, and taking notice of what was preparing against him, thought it the best way to mollifie the tumours of discontent against him, if his Defence did anticipate the Commons charge, in Order to which the 21. he made an elegant and quaint Oration tending to the Vindication of himself in every particular, but notwithstanding all his incantations of Rhetorique, the Commons stood fixt and immoveable, and that very day voted him a Traitor upon these considerations.

1. For refusing to read the Remonstrance against the Lord Treasurer *Weston* 4^o *Caroli* when the Parliament desired it.
2. For soliciting, perswading and threatening the Judges to deliver their opinions for levying of Shipmoney.
3. For several illegal actions in Forest matters.
4. For ill offices done in moving the King to dissolve the last Parliament, and causing his Majesties Declaration thereupon to be put forth.

The next day he was accused before the Lords, but he was early up, and before day gave justice the slip, withdrawing to a more habitable Region.

The dys-crasie, the distempers of our state both Ecclesiastical and Political, were eminently derived from the long dis-use of Parliaments, which are in truth the strongest ligaments of the relation Paramount betwixt King and People: for where a correspondency necessary to their joynt interest, is over-long dis-continued, there must needs be generated from that dis-acquaintance, many mis-understandings between, much diffidence of each other; and passions severed and not determined to publique concerns. To encounter which inconvenience, the Parliament were now modelling a Bill for a Triennial Parliament, and at the same time Petitions came thronging one upon the neck of another from several Counties, and one subscribed by 700. Presbyters, against the Hierarchy of Bishops; which finding a reception in the House disagreeable to his Majesties sense, he called

called both Houses together, Jan. 23. at which time he first minded them of their slow proceedings, and the inconveniences emerging there-from.

Ann. Christi

1640.



As first the maintaining two Armies in the Kingdom at a charge so excessive.

Next the weak condition of his Navy and Forts whereby his enemies are much encouraged, and his friends dis-beartned.

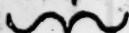
After which, he said;

I Cannot but take notice of some very strange Petitions, given in the name of severall Counties, against the present established Government of the Church, and of the great threats that Bishops shall be no better then Cyphers, if not clear done away. Now I must tell you that I make a difference between Reformation and Alteration of Government: though I am for the first, I cannot give way to the latter. I will not say but that the Bishops may have over-stretched their power, and encroached upon the Temporal, which if you will correct, and reforme the abuse, according to the wisdom of former times, so far I am with you. Nay further, if upon serious debate you shall shew me that Bishops have some temporal authority inconvenient to the State, and not

The Kings
Speech for
Bishops.

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1640.



so necessary to the Church for the support of Episcopacy, I shall not be unwilling to perswade them to lay it down. Yet by this you must not understand that I can consent to the taking away their voyce in Parliament, which they have so anciently enjoyed under so many my Ancestors, even before the Conquest, and ever since, and which I conceive I am bound to maintain, as one of the fundamental institutions of this Kingdome.

There is another Rock I desire you to eschew, and that not in substance but in form, yet that form is so essential, that except it be reformed it will marre the substance. There is a Bill given in for frequent Parliaments, the thing I like well, that is to say, to have often Parliaments; but to give power to Sheriffes, and Constables, and I know not whom to do my Office, that I cannot yeeld unto; but to shew you that I am desirous to please you in formes which destroy not the substance, I am content you shall have an Act for this purpose, but so reformed that it shall never trench upon mine honor, nor on that inseparable Right of my Crown concerning Parliaments. To which purpose I have commanded my learned Counsel to wait on you, my Lords, with such Propositions as I hope will give you content. For I ingenuously confesse, that frequent

frequent Parliaments are the best means to performe a right understanding between me and my Subjects.

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To conclude, I have now shewed you the state of my clear intentions, and the Rocks I wish you to eschew, in all which you may perceive the desire I have to give you content, as you shall finde also by those Ministers I have and do intend to imploy in my affaires, for the pursuance of my good intentions, which I doubt not will bring peace and happinesse to my Subjects, to the contentment of us all.

The same day one *Goodman* a Jesuite being condemned at the Sessions at *London*, was reprieved by the King; whereupon Mr. *Glyn* was sent with a message to the *Nobles*, to request their conjunction with them in a Petition to his Majesty, to be informed who should dare to be instrumental in the retarding of Justice in the face of a Parliament: which being assented to by the Lords, the King by the *Lord Privy Seal*, Jan. 25. signified the cause to be, in regard he was found guilty, as being a Priest, upon which score only, neither his *Father*, nor *Q. Elizabeth* ever exercised the rigour of the Law. This answer gave slender satisfaction to the Commons, so that another conference Jan. 27. was had with the Lords, from which resulted a Remonstrance to his Majesty to this effect.

Goodman a Priest reprieved.

That, considering the state and condition of this present time, they conceive the Law to be more necessary to be put in strict execution, then at any time before.

Remonstrance against Goodman the Priest.

First, because by divers Petitions from several parts of this Kingdome, complaints are made of the great increase of Popery and Superstition, and the People call earnestly to have the Lawes against Recusants put in execution,

Secondly,

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1640.

Secondly, Priests and Jesuites swarm in great number in the Kingdome, and appear here with such boldnesse and confidence, as if there were no Lawes against them.

Thirdly, it appeareth to the House that of late years, about the City of London Priests and Jesuites have been discharged out of Prison, many of them being condemned of high Treason.

Fourthly, the Parliament is credibly informed that at this present the Pope hath a Nuncio, or Agent resident in the City, and they have just cause to believe it to be true.

Fifthly, the Papists as publicquely, and with as much confidence and importunity resort to Masse at Denmark house, St. James, and the Ambassadors Chappel, as others do to their Parochial Churches.

Sixthly, there is found already so bad consequence of this Priest John Goodman his reprieve, that the City of London being solicited by the Parliament for their assistance in the advancement of money for the supply of his Majesties Army, have absolutely denyed the same, for that very reason, which may become an ill Precedent in the lewyng of the Subsidies.

Lastly, It is found that this Goodman hath been twice before committed, and discharged, and was somewhile a Minister in the Church of England.

Therefore they humbly desire the said John Goodman may be left to the Justice of the Law.

To this Remonstrance the King Feb. 3. replied.

That it was against his mind that Popery or Superstition should any way encrease within this Kingdome, that he will restrain the same by causing the Lawes to be put in execution.

That

The Kings
Answer.

That he is resolved to provide against Jesuites and Papists by setting forth a Proclamation speedily, commanding them to depart the Kingdom within one month, of which if they fail, or shall return, then they shall be proceeded against according to Law.

Concerning the Popes Nuncio (Rosetti) he hath no Commission, but only to retain correspondence between the Queen and the Pope, in things requisite for the exercise of her Religion, which is warranted to her by the Articles of marriage, which gave her a full liberty of conscience; yet he hath perswaded her, that since the misunderstanding of that Persons condition gives offence, she will within a time convenient remove him.

Moreover, he will take special care to restrain his Subjects from resorting to Masse at Denmark house, St. James's, and the Chappels of Ambassadors.

Lastly, concerning Goodman, because he will avoid the inconvenience of giving so great discontent to his People, as his mercy may produce, therefore he doth remit his particular case to both Houses. But he desired them to take into their considerations, the inconveniences that may upon this occasion fall upon his Subjects, and other Protestants abroad, especially since it may seem to other States to be a severity.

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The Scots Army having posselt such ample and five moneths quarters in this Kingdome, it may seem a wonder that all this while their affaires have not been assigned agreeable quarters in this Narration, especially perpending and considering the grand complication of interests, and how relative our highest concernments were to their present posture. A preterition, an omission, studiously and deliberately resolved upon; a compartment distinct and by it self, best sorting with such transactions, where the series of the story is not enterlined nor disturbed with matters independent, and of a different kind. I shall therefore summarily collect all those severall parcels of by-past occurrences, which had reference to them, not forgetting the true temporalities whercin they did emerge.

What passed at the Treaty at *Rippon* hath been already mentioned, which only produced a respite, a cessation of Hostility, a plenary Pacification it could not effect: this was reserved for a Treaty at *London* to form; in order to whith the King Nov. the 23. issued forth a Commission to the former Lords, the Earls of *Bedford*, *Hartford*, *Essex*, *Salisbury*, *Warwick*, *Bristow*, *Holland* and *Berkshire*; to the Lords *Wharton*, *Paget*, *Kimbolton*, *Brook*, *Paulet*, *Howard of Estring*, *Savil* and *Dunsmore*, to any ten or more of them, to treat with the *Scotish* Commissioners, or any seven of them being the Earls of *Roths*, and *Dunfermling*, *John Lord Lowden*, *Sir Patrick Hepburn*, *Sir William Douglas*, *William Drummond*, *John Smith* Bailiff of *Edenburgh*, *Alexander Wedderburn*, *Hugh Kennedy*, *Alexander Henderson*, and *Archibald Johnston* to take into consideration their Demands and compose all differences arising thereupon, in persuance of which Commission these particulars were demanded and assented to.

The *Scotish* Commissioners demanded,

1. Demand.

First, that his Majesty would be gratically pleased to command, that the Acts of the late Parliament may be published in his Highnesse name, as our Soueraigne Lord, with consent of the Estates of Parliament convened by his Majesties authority.

Answer.

To this it is answered, and agreed 30. Decembris 1640. That forasmuch as the Kings Majesty at the humble desire of his Subjects, did call and convene a Parliament to be holden at *Edenburgh*, the 2. of June 1640. wherein certain Acts were made, and agreed upon, which Acts his Majesty is pleased to publish in his own name with the consent of the Estates, and therefore commands that the said Acts bearing date the 2. day of

June

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June 1640. be published with the Acts to be made in the next Session of the same Parliament, and that all the said Acts, as well of the precedent, as of the next Session to be holden, have in all time coming the strength of Lawes, and to be obeyed by all the Subjects of the Kingdome of Scotland.

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1640.

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Secondly, that the Castle of Edinburgh, and other strengths of the Kingdome should with the advice of the Estates of Parliament, according to their first foundation, be furnished and used for defence and security of the Kingdome.

2. Demand.

It is agreed unto.

Answer.

Thirdly, that Scottishmen within his Majesties Dominions of England and Ireland, may be freed from censure for subscribing the Covenant, and be no more pressed with Oathes and subscriptions unwarranted by their Lawes, and contrary to their National Oath, and Covenant approved by his Majesty.

3. Demand.

It is agreed Decemb. the 8. 1640. that all those, who in his Majesties Dominions of England and Ireland have been imprisoned or censured any way for subscribing of the Covenant, or for refusing to take any other Oath contrary to the same, shall be freed of these censures and shall be fully restored to their Liberties, Estates and Possessions; And for time coming that the Subjects of Scotland, as Subjects of Scotland, shall not be constrained to any Oath contrary to the Lawes of that Kingdome, and the Religion there established; But such of the Kingdome of Scotland as shall transport themselves into the Kingdome of England or Ireland, and there be settled Inhabitants, either by way of having inheritance or freehold, or by way of settled Trades, shall be subject to the Lawes of England or Ireland, and to the Oathes established by the Lawes and Acts of Parliament in the said Kingdomes respectively, wherein they live. And the English and Irish shall have the like privilege in Scotland.

Answer.

Fourthly, that his Majesty would be pleased to declare, that whosoever shall be found, upon Tryal and Examination by the Estates of either of the two Parliaments, (they judging against the persons subject to their own authority) to have been the Authors and Causes of the late and present Troubles, and Combustions, whether by labouring to make and foment Division betwixt the King and his People, or betwixt the two Nations, or any other way, shall be liable to Censure of the said Parliaments respectively.

4. Demand.

Ec

It

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1640.

Answer.

It is answered *Decemb.* the 11. 1640. That his Majesty believeth he hath none such about him; therefore, concerning that point, he can make no other Declaration then that he is just, and that all his Courts of Justice are to be free and open to all men. Our Parliament in this Kingdome is now sitting, and the current Parliament of *Scotland*, neer approaching the time of their meeting; In either of which *Respectively*, he doth not prohibite the Estates to proceed in trying and judging of whatsoever his Subjects.

And whereas it was further demanded that none after the sentence of the Parliament should have access to his Majesty, or be maintained or enjoy places, or offices, and have credit or authority to inform or advise his Majesty.

It is declared in his Majesties name, *Decemb.* the 30. 1640. That he will not imploy any Person or Persons in Office or Place, that shall be judged incapable by sentence of Parliament. Nor will he make use of their service without the consent of Parliament, nor grant them access to his Person.

5. Demand.

Fifthly, that their Ships, and Goods, and all damages thereof may be restored.

Answer.

It is agreed *Jan.* the 7. 1640. That all ships taken and stayed should be reciprocally restored on both sides. And that the Scottish Commissioners having informed that about eighty ships of *Scotland* are yet stayed in the Ports, and are like to suffer much losse if they shall not be delivered into some hands who may have care of them. It is agreed that warrants shall be presently granted for delivery of all their Ships. And that four thousand pounds be presently advanced, for Cauking, Sailes, Cordage and other necessities, for helping the present setting forth of the said Ships.

6. Demand.

Sixtly, they desire from the justice and the kindnesse of the Kingdome of England, Reparation concerning the losses which the Kingdome of Scotland hath sustained, and the vast charges they have been put unto by occasion of the late troubles.

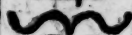
In this Demand some did note in the *Scots* a tincture of oblivion, if not of ingratitude, for the service *England* did them in what they call their first Reformation, towards which work our Nation was so auxiliary, so assistant, yet at the end brought them in no Bill of Charges. It was also noted that they entitled these demands to *Justice*, which some interpreted to imply that they came hither upon the invitation of eminent persons of this

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this Nation, it was supposed, and very like, of *Pym*, and *Hambden*. And though these Demands were not definitive nor terminated in any particular sum, yet did they compute their Losses and expences to 514000. l. a formidable and prodigious sum, more then ever was granted by the Subject to any King at once. This Demand took up long debate in the House of Commons, and at last Feb. the 3 this answer was returned.

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That this House thinks fit that a friendly assistance, and relief shall be given towards supply of the losses of the *Scots*, and that the Parliament did declare that they did conceive that the sum of three hundred thousand pounds is a fit proportion for the friendly assistance and relief formerly thought fit to be, given towards supply of the losses and necessities of their *BRETHREN* of *Scotland*, and that the House would in due time take into consideration the manner how, and the time when, the same shall be raised.

Answer.

Seventhly, that as his Majesty hath approved the Acts of the late Parliament, wherein all such Declarations, Proclamations, Books, Libels and Pamphlets that have been made, written and published against his Loyal and dutiful Subjects of Scotland, are recalled, and ordered to be suppressed; So his Majesty may be pleased to give order that the same may be suppressed, recalled and forbidden in England and Ireland; and that the Loyalty, integrity and faithfulness of his Majesties Subjects of Scotland, towards his Majesties royal Person and Government may at the closing of this treaty of Peace, and at the time of publique Thanks-giving for the same, be made known in all places and all Parish Churches of his Majesties Dominions.

7. Demand.

It is agreed upon the 10. of February 1640. That all Declarations, Proclamations, Acts, Books, Libels and Pamphlets that have been made and published against the Loyalty and dutifulness of his Majesties Subjects of *Scotland*, shall be recalled, suppressed and forbidden in *England* and *Ireland*. And that this be reciprocal in *Scotland*, if any such have been made or published there in prejudice of his Majesties honour. And this upon diligent enquiry to be done by the Authority of Parliament next sitting in *Scotland*, of which the Commissioners of *Scotland* do promise to have an especial care. And we do also agree, that when it shall please Almighty God to grant an happy close of this Treaty of Peace, the Loyalty of his Majesties Subjects of *Scotland* shall be made known at the time of publique Thanks-giving, in all places, and particularly in the Parish Churches of his Majesties Dominions.

Answer.

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8. Demand.

That all Monuments, Tokens and shewes of Hostility upon the borders of the two Kingdomes may be taken away. That not only the Garrisons of Barwick and Carlisle may be removed, but that the works may be slighted and the Places dismantled.

To this Demand, being offered but the 12. of this month, no answer was as yet returned.

Suggestions.

A match propounded betwixt the Lady Mary and Prince of Orange.

Unhappy Counsels have of late put the King out of possession of his Subjects affections, resolved he was no opportunity should escape him which might promote his re-endeerement with them, upon which inducement being largely solicited by the Dutch Ambassadors for a match between William the young Prince of Orange and the Lady Mary his daughter, and he inclined to entertain it, yet would he not make any conclusion therein, untill he had assumed the Parliament as Partners in his consultations, whereupon Feb. 10. he thus imparted his mind to the Lords.

My Lords,

The Kings Speech to the Lords about it.

‘ That freedome and confidence which I
‘ expressed at the beginning of this Parliament,
‘ to have of your love and fidelity towards my
‘ Person and Estate, hath made me at this time
‘ come hither to acquaint you with that Alli-
‘ ance and Confederacy which I intend to
‘ make with the Prince of Orange, and the
‘ States, which before this time I did not think
‘ expedient to do, because that part which I
‘ do desire your advice and assistance upon,
‘ was not ready to be treated on. I will not
‘ trouble you with a long digression, by shew-
‘ ing the steps of this Treaty, but leave you to
‘ be satisfied in that by those who under me
‘ do manage that affair. Only I shall shew
‘ you

'you the reasons which have induced me to
'it, and in which I expect your assistance and
'counsel. The Considerations that have in-
'duced me to it are these.

'First, the matter of *Religion*, here needs
'no dispensation, no fear that my Daughters
'conscience may be any way perverted.

'Secondly, I do esteem that a strict Alli-
'ance and Confederacy with the States will
'be as usefull to this Kingdome, as that with
'any of my Neighbours, especially confide-
'ring their affinity, neighbour-hood and way of
'their strength.

'And lastly, (which I must never forget in
'these occasions) the use I may make of this
'Alliance towards the establishing of my
'*Sister and Nephewes*.

'Now to shew you in what I desire your
'assistance, you must know that the Articles of
'Marriage are in a manner concluded, but not
'to be totally ratified untill that of Alliance be
'ended, and agreed, which before I demanded
'your assistance, I did not think fit to enter
'upon. And that I may not leave you too
'much at large how to begin that Council,
'I present you here the Propositions which
'are offered by me to the States Ambassa-
'dours for that intent. And so my Lords I
'shall only desire you to make as much expe-
'dition

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dition in your Councils, as so great a business shall require, and shall leave your Lordships to your own free debate.

No one proposition of his Majesty, since the first sitting of this Parliament, was so generally passant in both Houses as this, none received with greater alacrity, none embraced with so clear a vote, and which was a wonder, in a moment of so many jealousies, no fear of a plot upon either our Liberties or Religion: but the truth is, those feares now resulted from another party, the Romish Catholiques, and by rumours of their plots, the Kingdome was almost perpetually allarm'd, so as

Plots of the
papists.

The next day four Members of the House of Commons were sent up to the Lords with a message, importing the discovery of a great designe in hand by the Papists, as an Army of 15000. in *Lancashire*, and 3000. in *Ireland*, with many thousands in other places well armed, and in pay, raised by the Earl of *Stratford*, Earl of *Worcester* and others.

Judge Berkly
impeacht of
high Treason.

Feb. 13. Sir Robert Berkly was accused by a motion of the Commons of high Treason, and by the Usher of the black Rod taken the next day from his seat in the *Kings Bench*, and carryed away under the notion of his prisoner.

The King
passeth the Bill
for the Triennial
Parliament.

The Bill for the Triennial Parliaments having past both Houses was animated with the Royall assent *Feb. the 16.* his Majesty minding the Parliament of the grandure of this Grace, and what he expected in way of gratitude from them, in these words.

My Lords,

His Speech
concerning it.

‘And you the Knights, Citizens, and
‘Burgesses of the House of Commons; you
‘may remember when both Houses were
‘with me at the Banqueting house at *White-
‘hall*, I did declare unto you two Rocks I
‘wished you to shun, this is the one of them,
‘and of that consequence that I think never
‘Bill passed here in this House of more favor
‘to the Subject then this is: And if the other
‘Rock

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‘Rock be as happily past over, as this shall
‘be at this time; I do not know what you
‘can aske, for ought I can see at this time,
‘that I can make any question to yeeld unto.
‘Therefore I mention this to shew unto
‘you the sense I have of this Bill, and the Ob-
‘ligation, as I may say, that you have to me
‘for it; for hitherto (to speak freely) I had no
‘great encouragement to do it.

‘If I should look to the outward face of
‘your actions, or proceedings, and not to the
‘inward intentions of your hearts, I might
‘make question of doing it.

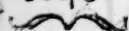
‘Hitherto you have gone on in that which
‘concernes your selves to amend, and not in
‘those things that meerly concern the strength
‘of this Kingdome, neither for the State nor
‘mine own particular.

‘This I mention, not to reproch you, but to
‘shew you the state of things as they are, you
‘have taken the Government all in pieces, and
‘I may say it is almost off the Hinges. A skil-
‘full Watch-maker to cleanse his Watch
‘will take it a sunder, and when it is put toge-
‘ther it will go better, so that he leaves not out
‘one pin of it.

‘Now as I have done all this on my part,
‘you know what to do on yours; and I hope
‘you shall see clearly that I have performed
‘really

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1640.



‘really what I expressed to you at the beginning of this Parliament, of the great trust I have of your affections to me; and this is the great expression of trust, that before you do any thing for me, I do put such a confidence in you.

At the same time he signed also the Bill of Subsidies, both which Acts were so pleasing to the Parliament, that upon a conference between both Houses it was unanimously agreed to wait upon his Majesty at *White-hall*, and by the Lord Keeper (Sir *Edward Littleton*) to return him their humble thanks. And that night Bonfires and other tokens of joy were made in the City by order of the Parliament.

The Archbishop accused of high Treason.

February the 26. the Archbishops charge compounded of 14. Articles was preferred in the Lords House by Mr. *Pym*, whereupon he was ordered to the Tower, but upon his humble sute to the Lords, his Commitment thither was respited untill *March* the first.

But these proceedings against him did not give plenary satisfaction to all, most cryed aloud for a Reformation in the Hierarchy it self, many would detrench from them their secular power, and votes in Parliament, nay some were male-content unlesse the whole order were eradicated; and this was now vehemently pressed by the City Petition, now under consideration of the Committee: a mighty debate there was about this time in the House of Commons upon this Subject, and no arguments omitted which might officiate to either end; amongst the rest Episcopacy had not a faster friend, nor the City Petition a stouter Antagonist, then the Lord *Digby*, who spake for the one and against the other no man to better purpose, and summarily thus.

The Lord Digby's Speech for Episcopacy.

That he looked not upon that Petition, as a Petition from the City of London, but from he knew not what 15000. Londoners all that could be got to subscribe. That therein he discovered a mixture of things Contem-
ptible, Irrational, and Presumptuous. *Contem-
ptible. Did ever any man think that the fables
of Ovid, or Tom Coriats newes, should by 15000.
have*

have been presented to a Parliament as a motive for the extirpation of Bishops; For the scandal of the Rocket, the Lawn-sleeves, the four-cornered Cap, the Cope, the Surplice, the Hood, the Canonical Coat, &c. may passe as arguments of the same weight. He did not know whether it were more preposterous to infer the extirpation of Bishops from such weak arguments, or to attribute, as they do, to Church Government all the civil grievances. Not a Patent, not a Monopoly, not the price of a Commodity raised, but these men make Bishops the cause of it.

Irrational. A Petition ought to be like a kind of syllogism, the Conclusion, the Prayer, ought to hold proportion with the Premisses, that is, with the Complaints, and to be deduced from them: but in this Petition there was a multitude of Allegations, of Instances, of Abuses, and depravations in Church Government; and what is thence inferred? Let the use be utterly abolished for the abuses sake. For the moveables sake to take away the solid good of a thing; is just as reasonable, as to root up a good tree, because there is a Canker in the Branches.

Presumptuous. What greater boldnesse can there be then for Petitioners to prescribe to a Parliament what and how it should do? for a multitude to teach a Parliament what is, and what is not, the Government according to Gods word? Again, it is high presumption to Petition point-blank against a Government in force by Law: the honour of former Acts must be upheld, because all the reverence we expect from future times to our own Acts, depends upon our supporting the dignity of former Parliaments.

He said, We all agree that a reformation of Church Government is most necessary: But to strike at the root he can never give his vote before three things were cleared to him.

F f

First,

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1640.

First, That no rule, no boundaries can be set to Bishops able to restrain them from such exorbitances.

Secondly, Such a frame of Government must be laid before us, as no time, no corruption, can make liable to inconveniences proportionable with those we abolish.

Thirdly, Whether the new model is practicable in the State and consistent with Monarchy.

For the first, he was confident a Triennial Parliament would be a curbe sufficient to order them.

For the second, he was also confident that if we did listen to those who would extirpate Episcopacy, we should in state of every Bishop we put down in a Diocese, set up a Pope in every Parish.

For the last, he was of opinion that it would be unsafe for Monarchy, for if the Presbyterian Assemblies should succeed, they would assume a power to excommunicate Kings, as well as other men. And if Kings came once to be excommunicated, men are not like to care much what becomes of them.

In conclusion, though Episcopacy kept her essentials still, yet was she much mutilated in her former glory. The House of Commons voting March the 10. That no Bishop shall have any vote in Parliament, nor any judicial power in the Star-chamber, nor bear any sway in Temporal affaires, and that no Clergy man shall be in Commission of the Peace.

I am now tending apace to the Earl of Straffords Tryal, in order and relative to which, it will be necessary to premise what antecedently occurred.

The Commons having preferred their Accusation against him, as I said before, a formal charge disposed into Articles was next of course to follow. These at first they digested into 7. heads, which consisting only of generals, were after distributed into 28. particulars; and Jan. the 30. presented by Mr. Pym to the Peers, as their compleat charge against the Earl: who being immediately sent for, and having heard it read, he desired three months day to answer; the reason of this desire was after signified

The Charge against the Earl of Strafford is given in.

fyed to the Commons to be, in regard some of the Treasons were of 14. years standing, and could not on the suddain be answered: Again as his Charge was long, so his Answer must be commensurate, the rough draught whereof being 200. sheets of paper, it could not be engrossed so soon as was desired. Neverthelesse the Commons ply'd the Lords with such incessant applications, as he was enforced to finish, and exhibit it to the Lords Feb. the 24. when it was read in the Kings audience; and in the House of Commons the next day after.

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1640.

And his Answer.

The Earls Answer being given in, there ensued several questions, which were the subjects of great debate between the Lords and Commons.

First, Concerning the allowance of Council. The Commons alledging that in cases of high Treason Council cannot regularly be allowed; which the Lords said was true in pleading matters of fact, not in matters of Law. This was in some sort granted at length by the lower House.

Secondly, Concerning the place of Tryal, the Lords desiring it might be in their own House, but the Commons opposed it, because they intended to manage their accusation by members of their own House in the presence of their whole House; to which purpose the Lords House was thought too little, whereupon Westminster-hall was agreed upon.

Lastly, The Commons were moved to declare in what quality they would sit, whether as a full House with their Speaker, or as a Committee only; to which they replied, that they intended to come in the body of their House, which the Lords not assenting to, they at last yielded to come as a Committee.

As Westminster-hall was the place, so Munday the 22. of March was the first day prefixt of the Earles compearing. Never was there in this Isle a scene of Justice more magnificent reared for any Subject, yea when even Majesty her self received a like sentence from that place, her Trial was nothing so majestic. Scaffolds were erected on either side of the Hall, there the Commons sat uncovered, and in the midst of the lower ascent the Peers; behind, but raised above them, there was placed a Chair and Cloth of State for the King, on either side whereof was a close Gallery for the King, Queen and Prince to be private, suitable to the ancient mode.

Westminster-hall appointed for his Tryal.

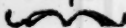
The Bishops were excluded by ancient Canon Lawes of the Councils of Toledo to be assistant in causes of Bloud or Death, as disagreeable to their function, who officiate so much towards the unbloudy sacrifice, as also to ballance the strictness of their own interdict, which prohibits Lay-men a vote with them in the Act of Excommunication; this being a Spiritual slaughter, as the

Concil. Tolet. 4. c. 30. & undecim. c. 6.

Hoc agit in Ecclesia Excommunicatio quod Interfectio. Aug.

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other a Corporal. Upon which consideration they absented themselves.

The Earl of *Arundel* was Lord *High Steward*, and the Earl of *Lindsey* Lord *High Constable*. The Earl of *Strafford* being brought to the Bar, the Lord High Steward declared to him, that he was called thither to answer to the impeachment of *High Treason* preferred against him by the Commons of *England* and *Ireland*. Then his Accusation was read, and next his Answer to it, in which most part of that day being spent, the Court arose.

The next day he being brought again to the Bar, the House of Commons began with the first 7. General Articles, declaring how he had subverted the Fundamentall Lawes of *England* and *Ireland*; this particular was managed by Mr. *Pym*; next there was a Paper produced sealed, which being opened and read, appeared to be sent from the Parliament in *Ireland*, declaring that the Commons there had voted the Earl guilty of High Treason, whereat the Earl much astonisht and transported with passion said, *There was a Conspiracy against him to take away his life*. The words were no sooner out of his mouth, then the House of Commons (who stood diligent Seminals to watch every syllable he spake) required Justice against him, because he standing impeacht of High Treason, accused the Parliaments of two Kingdomes of a conspiracy against him; whereupon he humbly craved pardon for the inconsideratenesse of the expresseion, protesting seriously he did not thereby intend either Parliament, but some particular persons.

Then Mr. *Pym* moved that whereas there was a discovery made of three Articles more to be annexed to his charge, he might presently be commanded to reply to them; to which the *Lieutenant* answered, that the Proceffe being closed, he hoped he should not be ordered to answer any adventitious and unexpected charge without more convenient time assigned. But upon consideration of the Articles, the *Lords* finding them to be of no great importance, he was urged to a present reply. The Articles were;

New Articles
against the
Earl.

First, That he had withdrawn 24000. l. (some copies have 40000. l.) sterling from the Exchequer in Ireland, and converted to his own use.

Secondly, That in the beginning of his Government the Garrisons of Ireland had been maintained by the English Treasury.

Thirdly,

Thirdly, That he had advanced Popish and Infamous persons, as the Bishop of Waterford, and others to the prime Roomes in the Church of Ireland,

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To the first he said, That *England* was indebted to *Ireland* that sum, and that he took up the money upon his own Credit, and paid it in again, and that he had the Kings authority for the same, producing his Majesties Letter.

The Earls
Answer.

To the second, That the Garrisons had been burdensome to *England* in former Deputies times; that he so found them, but that he had so improved the Kings Revenues there, as they were not onerous at all to *England*.

To the last, That he never preferred any but such whom he conceived to be conscientious and honest men; that he could not prophecy of mens future conditions; and for the Bishop of *Waterford* he hath satisfied the Law.

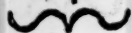
This dayes encounter between the Parliament and Earl seemed a dispute only at wasters, these generals being not impregn'd with any deadly quality.

The next day *March* the 24. they fell to sharpe, that is to enforce the Particular Articles, in order as they were disposed, which in regard they were the formal principles of the Earls Tragique end, I reserved for this place, wherein I shall so represent them, as the Reader may (as in the same Table) at once behold the Commons Charge and the Earls Defence run lateral and in pale each with other, omitting such as not being urged, signified nothing.

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The further Impeachment of Thomas Earl of Strafford by the Commons assembled in PARLIAMENT.

The First Article was not insisted upon.

II.

The Earles Reply.

That shortly after the obtaining of a Commission dated the 21. of March, in the 8. year of his now Majesties reign (to wit) the last day of August then next following, he the said Earl (to bring his Majesties liege people into a dislike of his Majesty and of his Government, and to terrifie the Justices of the Peace from executing of the Lawes; he, the said Earl, being then President of the Kings Council in the Northern parts of England, and a Justice of Peace) did publicly at the Assises held for the County of York in the City of York, in and upon the said last day of August, declare and publish before the people there attending for the administration of Justice according to the Law, and in the presence of the Justices sitting, *that some of the Justices were all for Law, but they should finde that the Kings little finger should be heavier then the loynes of the Law.*

Testified by Sir David Fowles and others.

That Sir David Fowles was his profest enemy, that his words were clearly inverted, that his expression was, *That the little finger of the Law (if not moderated by the Kings gracious clemency) was heavier then the Kings loynes.* That these were his words, he verifys; First, by the occasion of them, they being spoken to some whom the Kings favour had then enlarged from Imprisonment at York, as a motive to their thankfulness to his Majesty. Secondly, by Sir William Penniman a Member of the House, who was then present, and heard the words. *Which Sir William declaring to be true: the House of Commons required Justice of the Lords against him,* because he had voted the Articles as a Member of the House; whereupon Sir William wept.

III.

The Earls Reply.

That the Realm of Ireland having been time out of minde annexed

That if he had been over liberal of his tongue for want of discretion,

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annexed to the Imperial Crown of this his Majesties Realm of *England*, and governed by the same Lawes: the said Earl being Lord Deputy of that Realm, to bring his Majesties liege people of that Kingdome likewise into dislike of his Majesties government, and intending the subversion of the fundamental Laws and settled Government of that Realm, and the distraction of his Majesties liege people, there did upon the 30. day of *September*, in the ninth year of his now Majesties reign, in the City of *Dublin* (the chief City of that Kingdome, where his Majesties Privie Counsel, and Courts of Justice do ordinarily reside, and whither the Nobility and Gentry of that Realm do usually resort for Justice) in a publick Speech before divers of the Nobility and Gentry, and before the Maior, Aldermen, and Recorder, and many Citizens of *Dublin*, and other his Majesties liege people, declare and publish, that *Ireland was a conquered Nation, and that the King might do with them what he pleased*; and speaking of the Charters of the former Kings of *England* made to that City, he further said, that *their Charters were nothing worth, and did binde the King no further then he pleased.*

Testified by the Earl of *Cork* and two other Lords.

IV.

That *Richard* Earl of *Cork* having sued out proceſs in course of Law for recovery of his possessions

discretion, yet could not his words amount to Treason, unlesse they had been revealed within 14. dayes as he was informed. As to the Charge he said, True it is, he said *Ireland* was a conquered Nation, which no man can deny; and that the King is the Law-giver, in matters not determined by Acts of Parliament, he conceived all Loyal Subjects would grant.

The Earls Reply.

It were hard measure for a man to lose his honour, and his life, for an hasty word, or because

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fections, from which he was put by colour of an order made by the said Earl of *Strafford*, and the Council Table of the said Realm of *Ireland*. The said Earl of *Strafford* upon a paper Petition without legall proceedings, did the 20. day of *February*, in the 11. year of his now Majesties reign, threaten the said Earl of *Corke* (being then a Peer of the said Realm) to imprison him, unlesse he would surcease his suit, and said, *That he would have neither Law nor Lawyers dispute or question any of his orders.* And the 20. day of *March*, in the said 11. year, the said Earl of *Strafford* speaking of an order of the said Council Table of that Realm, made in the time of King *James*, which concerned a Lease which the said Earl of *Corke* claimed in certain Rectories or tithes which the said Earl of *Corke* alleaged to be of no force, said, *That he would make the said Earl and all Ireland know, so long as he had the Government there, any act of State, there made, or to be made, should be as binding to the subjects of that Kingdome, as an Act of Parliament:* And did question the said Earl of *Cork* in the Castle Chamber, upon pretence of breach of the said order of Council table, and did sundry other times, and upon sundry other occasions, by his words and speeches arrogate to himself a power above the fundamental Laws, and established government of that Kingdome, and scorned the said Lawes and established Government.

cause he is no wiser then God hath made him. As for the words, he confessed them to be true, and thought he said no more then what became him, considering how much his Masters honour was concerned in him, that if a proportionable obedience was not as well due to Acts of State, as to Acts of Parliament, in vain did Councils sit. And that he had done no more then what former Deputies had done, and then what was agreeable to his Instructions for the Council Table, which he produced. And that if those words were Treason, they should have been revealed within 14. dayes.

V.

That according to such his Declarations and Speeches, the said Earl of *Strafford* did use and exercise a power above, and against, and to the subversion of the fundamental Lawes, and stablished Government of the said Realm of *Ireland*, extending such his power to the goods, free-holds, inheritances, liberties and lives of his Majesties Subjects of the said Realm, viz. The said Earl of *Strafford* the 12. day of *Decemb. Anno Dom. 1635.* in the time of full peace, did in the said Realm of *Ireland*, give and procure to be given against the Lord *Mount-Norris* (then and yet a Peer of *Ireland*, and then Vice-treasurer and receiver general of the Realm of *Ireland*, and one of the principal Secretaries of State, and Keeper of the Privy Signet of the said Kingdome) a sentence of death by a Council of War called together by the said Earl of *Strafford*, without any warrant or authority of Law, or offence deserving any such punishment. And he the said Earl did also at *Dublin* within the said Realm of *Ireland*, in the moneth of *March* in the 14. year of his Majesties Reign, without any legall or due proceedings or tryall, give or cause to be given, a sentence of death against one other of his Majesties subjects, whose name is yet unknown, and caused him to be put to death in execution of the said sentence.

The Earls reply.

That there was then a standing Army in *Ireland*, and Armies cannot be governed but by Martial Law: that it hath been put in constant practise with former Deputies, that had the sentence been unjustly given by him, the crime could amount but to Felony at most, for which he hoped he might as well expect pardon from his Majesty as the Lord *Coxway* and Sir *Jacob Astley* had for doing the like in the late Northern Army.

That he neither gave sentence, nor procured it against the Lord *Mount-Norris*, but only desired justice against the Lord for some affront done to him as he was Deputy of *Ireland*.

That the said Lord was judged by a Council of Warre, wherein he sat bare all the time, and gave no suffrage against him; that also to evidence himself a party, he caused his brother Sir *George Wenimworth*, in regard of the neerenesse of blood, to decline all acting in the proceffe.

Lastly, though the Lord *Mount-Norris* justly deserved to die, yet he obtained his pardon from the King.

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V I.

That the said Earl of *Strafford* without any legal proceedings, and upon a paper Petition of *Richard Rolstone*, did cause the said Lord *Mount-Norris* to be disseised and put out of possession of his free-hold and inheritance of his *Mannor* and *Tymore* in the County of *Armagh*, in the Kingdome of *Ireland*, the said Lord *Mount-Norris* having been two years before in quiet possession thereof.

The Earls Reply.

That he conceived the Lord *Mount-Norris* was legally disseised of his possessions, there being a suite long depending in Chancery, and the Plaintiff complaining of delay, he upon the Complainants Petition called unto him the Master of the *Rolls*, Lord Chancellor, and Lord Chief Justice of the *Common pleas*, and upon proofs in Chancery decreed for the Plaintiff. Wherein he said he did no more, then what other Deputies had done before him.

VII.

That the said Earl of *Strafford*, in the Terme of Holy Trinity, in the 13. year of his now Majesties reign, did cause a case commonly called *the case of Tenures upon defective titles*, to be made and drawn up without any jury or tryal, or other legal proceesse, and without the consent of parties, and did then procure the Judges of the said Realm of *Ireland* to deliver their opinions and resolutions to that case, and by colour of such opinions, did without any legal proceeding, cause *Thomas Lord Dillon*, a Peer of the said Realm of *Ireland*, to be put out of possession of divers Lands and Tenements, being his freehold in the County of *Mago* and *Roscomen*, in the said Kingdome, and divers others of his Majesties subjects to be also put out of possession, and disseised

The Earls Reply.

That the Lord *Dillon* with others producing his Patent according to a Proclamation on the behalf of his Majesty, the said Patent was questionable, upon which a case was drawn and argued by Council, and the Judges delivered their opinions. But the Lord *Dillon* or any other, was not bound thereby, nor put out of their possessions, but might have traversed the office, or otherwise have legally proceeded, notwithstanding the said opinion.

The

of their free-hold by colour of the same resolution, without legal proceedings, whereby many hundreds of his Majesties subjects were undone, and their families utterly ruined.

VIII.

That the said Earl of *Strafford* upon a Petition exhibited in *October*, 1635. by *Thomas Hibbarts* against dame *Mary Hibbarts* widow, to him the said Earl of *Strafford*, recommended the said Petition to the Council Table of *Ireland*, where the most part of the Council gave their vote and opinion for the said Lady, but the said Earl finding fault herewith, caused an order to be entred against the said Lady, and threatned her, that if she refused to submit thereunto, he would imprison her, and fine her five hundred pound; that if she continued obstinate, he would continue her imprisonment, and double her fine every month by month, whereof she was enforced to relinquish her estate in the Land questioned in the said Petition, which shortly was conveyed to *Sir Robert Meredeth*, to the use of the said Earl of *Strafford*.

And the said Earl in like manner did imprison divers others of his Majesties subjects upon pretence of disobedience to his orders and decrees, and other illegal commands by him made for pretended debts, titles of Lands, and other causes in an arbitrary and

The Earls Reply.

That true it is he had voted against the Lady *Hibbarts*, and thought he had reason so to do, the said Lady being discovered, by fraud and circumvention, to have bargained for Lands of a great value, for a small sum. And he denied that the said Lands were after sold to his use, or that the major part of the Council Board voted for the Lady; the contrary appearing by the sentence under the hand of the Clerk of the Council: which being true, he might well threaten her with Commitment in case she disobeyed the said order. Lastly, were it true that he were criminal therein, yet were the offence but a misdemeanour, no treason.

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and extrajudicial course, upon Paper Petitions to him preferred, and no other cause legally depending.

IX.

That the said Earl of *Strafford* the 16. day of *Feb.* in the 12. year of his now Majesties reign, assuming to himself a power above and against Law, took upon him by a general *Warrant* under his hand, to give power to the Lord Bishop of *Down*, and *Connor his Chancellor*, or *Chancellors*, and their several Officers thereto to be appointed, to attach and Arrest the Bodies of all such of the meaner and poorer sort, who after citation should either refuse to appear before them, or appearing should omit, or deny to performe, or undergo all lawful decrees, sentences, and orders issued, imposed or given out against them, and them to commit and keep in the next Gaole untill they should either performe such sentences, or put in sufficient Bail to shew some reason before the Councel Table, of such their contempt and neglect, and the said Earl, the day and year last mentioned, signed and issued a Warrant to that effect, and made the like Warrant to send all other Bishops and their Chancellors in the said Realm of *Ireland* to the same effect.

X.

That the said Earl of *Strafford* being Lord Lieutenant, or Deputy of *Ireland*, procured the

Customes

The Earls Reply.

That such Writs had been usually granted by former Deputies to Bishops in *Ireland*; nevertheless, being not fully satisfied with the convenience thereof, he was sparing in granting of them, untill being informed that divers in the Diocese of *Down* were somewhat refractory, he granted Warrants to that Bishop, and hearing of some disorders in the execution, he called them in again.

The Earls reply.

That his Interest in the Customes of *Ireland* accrued to him by the assignation of a Lease from

April 2.

Customes of the Merchandise exported out, and imported into that Realm to be farmed to his own use.

And in the ninth year of his now Majesties Reign, he having then interest in the said Customes (to advance his own gain and lucre) did cause and procure the native commodities of *Ireland*, to be rated in the book of Rates for the Customes (according to which the Customes were usually gathered) at far greater values and prices, then in truth they were worth; (that is to say) every hide at 20. shillings, which in truth was worth but five shillings, every stone of Wooll at thirteen shillings fourpence, though the same ordinarily were worth but five shillings, at the utmost but nine shillings; by which means the Custome which before was but a twentyeth part of the true value of the commodity, was inhanced sometimes to a fifth part, and sometimes to a fourth, sometimes to a third part of the true value, to the great oppression of the subjects, and decay of *Merchandise*.

XI.

That the said Earl, in the ninth year of his now Majesties Reign, did by his own will and pleasure, and for his own lucre restrain the exportation of the commodities of that Kingdome without his licence, as namely *Pipe-staves*, and other commodities, and then raised great sums

from the Duchesse of *Buckingham*: that the book of Rates, by which the Customes were gathered, was the same which was established by the Lord Deputy *Faulkland*, Anno 1628. some years before he was employed thither. That as he hath been just and faithful to his Master the King, by encreasing his Revenue; so hath he also much bettered the Trade, and shipping of that Kingdome.

The Earles Reply.

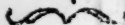
That *Pipe-staves* were prohibited in King *James* his time, and not exported but by licence, paying 6 s. 8 d. a thousand, and that he had not raised so much thereby to himself, as his predecessors had done for such licences.

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sums of money for licenſing of exportation of thoſe commodities, and diſpenſation of the ſaid reſtraints impoſed on them, by which means the *Pipe-ſtaves* were raiſed from four pound ten ſhillings, or five pound per thouſand, to ten pound, and ſometimes eleven pound per thouſand: and other commodities were inſanced in the like proportion, and by the ſame means by him the ſaid Earl.

XII.

That the ſaid Earl being *Lord Deputy of Ireland*, on the ninth day of *Jan.* in the thirteenth year of his Maſteſties Reign, did then under colour to regulate the importation of *Tobacco* into the ſaid Realm of *Ireland*, iſſue a Proclamation in his Maſteſties name, prohibiting the importation of *Tobacco* without licence of him and the Councell, therefrom and after the firſt day of *May*, *Anno Dom.* 1638. After which reſtraint, the ſaid Earl, notwithstanding the ſaid reſtraint, cauſed divers great quantities of *Tobacco* to be imported to his own uſe, and freighted divers ſhips with *Tobacco*, which he imported to his own uſe: and that if any ſhip brought *Tobacco* into any Port there, the ſaid Earl and his Agents uſed to buy the ſame to his own uſe, at their own price. And if that the owners reſuſed to let him have the ſame at under values, then they were not permitted to vent the ſame, by which undue means the ſaid Earl having

The Earls Reply.

That before his time the King had but 10. or 20. *l.* per annum for that Cuſtome, which now yeelded 20000. *l.* For the Proclamation, it was not ſet out by his means principally, or for his private benefit, but by conſent of the whole Councell. The prices of *Tobacco* not exceeding two ſhillings the pound. And this he conceives cannot be made treason, were all the Article granted, but only a Monopoly, for which he was to be fined.

The

ving gotten the whole Trade of Tobacco into his own hands, he sold it at great and excessive prices, such as he list to impose for his own profit.

And the more to assure the said *Monopoly of Tobacco*, he the said Earl on the 23. day of *Feb.* in the 13. year aforesaid, did issue another Proclamation; commanding that none should put to sale any Tobacco by whole-sale, from and after the last day of *May*, then next following, but what should be made up into Rols, and the same sealed with two scales by himself appointed, one at each end of the Roll. And such as was not sealed to be seised, appointing six pence the pound for a reward to such persons as should seise the same: and the persons in whose custody the unsealed Tobacco should be found, to be committed to Gaole: which last Proclamation was covered by a pretence of the restraining of the sale of unwholesome Tobacco, but it was truly to advance the said Monopoly.

Which Proclamation the said Earl did rigorously put in execution, by seising the goods, fineing, imprisoning, whipping, and putting the offenders against the same Proclamation on the pillory, as namely, *Barnaby Hubbard*, *Edward Coven*, *John Tumen*, and divers others: and made the Officers of State, and Justices of Peace, and other Officers to serve him in compassing and executing these unjust and undue courses. By which cruelties

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ties and unjust Monopolies, the said Earl raised 100000. pounds *per annum* gain to himself. And yet the said Earl, though he enhanced the Customes, where it concerned the Merchants in general, yet drew down the impost formerly taken on Tobacco, from six pence the pound to three pence the pound, it being for his own profit so to do. And the said Earl, by the same, and other rigorous and undue means raised severall other Monopolies and unlawfull exactions for his own gain, *viz.* on Starch, Iron pots, Glasses, Tobacco pipes, and severall other commodities.

XIII.

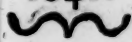
April 3.

That Flax being one of the principal and native Commodities of that Kingdom of *Ireland*, the said Earl having gotten great quantities thereof into his hands, and growing on his own Lands, did issue out severall Proclamations, *viz.* one dated the one and twentieth day of *May*, in the eleventh of his Majesties reign, and the other dated the one and thirtieth of *January*, in the same year, thereby prescribing and enjoyning the working of Flax into Yarne and Thread, and the ordering of the same in such wayes, wherein the Natives of that Kingdome were unpractised and unskilful: which Proclamations so issued, were, by his Commands and Warrants to his Majesties Justices of Peace, and other Officers, and by other rigorous means, put in execution

The Earls reply.

That he did endeavour to advance the manufacture of linnen, rather then of woollen, because the last would be the greater detriment to *England*. That the *Primate* of *Ireland*, the *Archbishop* of *Dublin*, *Chancellor* *Lesieur*, and the Lord *Mount-Norris*, al of the Councel, and subscribers of the Proclamation, were as liable to the charge as himself. That the reducing of that Nation by orders of the Councel Board to the English Customes from their more savage usages, as drawing horses by their railes, &c. had been of former practise: that the project was of so ill avall to him as he was the worse for the manufacture thirty thousand pounds at least, by the loome he had set up at his own charge.

The



execution, and the Flax wrought or ordered in other manner then as the said Proclamation prescribed, was seised and employed to the use of him and his agents, and thereby the said Earl endeavoured to gain, and did gain in effect the sole sale of that native commodity.

The XIV. Article was not urged.

X V.

That the said Earl of *Sirafford* trayterously and wickedly devised and contrived by force of Armes in a warlike manner to subdue the Subjects of the said Realm of *Ireland*, to bring them under his tyrannical power and will, and in pursuance of his wicked and trayterous purposes aforesaid, the said Earl of *Sirafford* in the eighth year of his Majesties reign, did by his own authority, without any warrant or colour of Law, tax and impose great sums of mony upon the Towns of *Baltemore*, *Bandenbridge*, *Talowe*, and divers other Townes and places in the said Realm of *Ireland*, and did cause the same to be levied upon the Inhabitants of those Townes by troopes of Souldiers, with force and armes, in a warlike manner. And on the ninth day of *March*, in the twelfth year of his now Majesties raigne, trayterously did give authority unto *Robert Savill* a *Serjeant at armes*, and to the Captains of the companies of souldiers, in severall parts of that Realm, to

send

The Earls Reply.

That nothing hath been more ordinary in *Ireland*, then for the Governours to put all manner of sentences in execution by the help of souldiers, that *Grandison*, *Falkland*, *Chichester*, and other Deputies, frequently, did it. [*Sir Arthur Teningham* to this point deposed, that in *Falklands* time he knew 20. Souldiers, assessed upon one man, for refusing to pay sixteen shillings.] That his instructions for executing his Commission, were the same with those formerly given to the Lord *Falkland*, and that in both there is expresse warrant for it. That no testimony produced against him doth evidently prove he gave any warrant to that effect, and that *Serjeant Savill* shewed only the Copy of a warrant, not the Original it self, which he conceived could not make faith in case of life and death in that high Court, especially it being not averred upon Oath to agree with the Original, which should be upon record. That he conceived he was for an *Irish* custome to

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send such numbers of Souldiers to Leon the Lands and Houses of such as would not conforme to his orders, untill they should render obedience to his said orders and warrants, and after such submission (and not before) the said Souldiers to return to their Garrisons. And did also issue the like warrants unto divers others, which warrants were in warlike manner, with force and Armes put in execution accordingly, and by such warlike means did force divers of his Majesties subjects of that Realm to submit themselves to his unlawful commands.

And in the said twelfth year of his Majesties reign, the said Earl of *Strafford* did trayterously cause certain troops of horse and foot, armed in warlike manner, and in warlike array, with force and armes, to expell *Richard Butler* from the possession of *Castle-cumber*, in the Territory of *Idough*, in the said realm of *Ireland*, and did likewise and in like warlike manner, expell divers of his Majesties Subjects from their houses, families, and possessions, as namely *Edward Brenman*, *Owen Oberman*, *Patrick Oberman*, *Sir Cyprian Horsfield*, and divers others, to the number of about a hundred families, and took and imprisoned them and their wives, and carried them prisoners to *Dublin*, and there detained them untill they did yeeld up, surrender, or release their respective estates and rights.

be tryed by the Peers of that Kingdome.

And



And the said Earl, in like warlike manner, hath, during his government of the said Kingdom of Ireland, subdued divers others of his Majesties Subjects ease to his wil, and thereby and by the means aforesaid, hath levied War within the said Realm, against his Majesty and his liege people of that Kingdome.

Testified by Serjant Savil,

This Article pincheth the *Earl* so close, as notwithstanding his Answer, the Commons thought the evidence so strong against him, and were so confident that the fact was Treason, as they were very desirous to proceed to vote upon that very point; but the Lords withdrawing, returned answer that they could not agree to it, but desired them to go on to the remaining Articles.

XVI.

The Earls Reply.

That the said Earl of *Straford*, the two and twentieth of *February*, in the seventh year of his now *Majesties* reign, intending to oppress the said Subjects of *Ireland*, did make a proposition, and obtained from his *Majesty* an allowance, that no complaint of injustice or oppression done in *Ireland*, should be received in *England* against any, unlesse it first appeared that the party made first his addresse to him the said Earl: and the said Earl having by such usurped tyrannical and exorbitant power, expressed in the former Articles, destroyed the Peers and other subjects of that Kingdome of *Ireland*, in their lives, consciences, land, liberties, and estates, the said Earl to the intent the better to maintain and strengthen

That the Deputy *Falkland* had set out the same Proclamation. That the same restraint was contained in the Statute of 25. of *Hen. 6.* upon which the Proclamation was founded. That he had the *Kings* expresse warrant for the Proclamation. That he had also power to do it by the Commission granted him, and that the Lords of the Council and three Justices not only yeilded, but pressed him unto it. That it was done upon just cause, for, had the Ports been open, divers would have taken liberty to go to *Spain*, to *Doway*, *Rhemes*, or *St. Omers*, which might have proved of mischievous consequence to the State. That the Earl of *D'Esmond* stood, at the time of his restraint, charged with Treason before the Council

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strengthen his power, and to bring the people into a disaffection of his Majesty as aforesaid, did use his Majesties name in the execution of his said power. And to prevent the subjects of that Realm of all means of complaints to his Majesty, and of redresse against him and his agents, did issue a Proclamation bearing date the seventeenth day of September, in the eleventh year of his Majesties reign, thereby commanding all the Nobility, undertakers and others, who held estates and offices in the said Kingdome (except such as were employed in his Majesties service, or attending in England by his special command) to make their personal residence in the said Kingdome of Ireland, and not to depart thence without licence of himself. And the said Earl hath since issued other Proclamations to the same purpose, by means whereof the subjects of the said Realm are restrained from seeking relief against the oppressions of the said Earl without his licence: which Proclamation the said Earl hath by several rigorous wayes, as by fine, imprisonment, and otherwise, put in execution on his Majesties subjects, as namely, one *Parry*, and others, who came over only to complain of the exorbitances and oppressions of the said Earl.

Testified by the Earl of *Down*, the Lord *Roch*, *Marcaster*, and *Parry*.

cel of Ireland, for practising against the life of one Sir *Valentine Coke*. That the Lord *Roch* was then a prisoner for debt in the Castle of *Dublin*, and therefore incapable of a licence. That *Parry* was not fined for coming over without licence, but for several contempts against the Council-board in Ireland, and that in his sentence he had but only a casting voice, as the Lord *Keeper* in the *Star-chamber*.

The XVII. and XVIII.
Articles were not insisted upon.

XIX.

That the said Earl having taxed and levied the said impositions, and raised the said Monopolies, and committed the said oppressions in his Majesties name, and as by his Majesties Royal command, he the said Earl in *May* the fifteenth year of his Majesties reign, did of his own authority contrive and frame a new and unusual oath, by the purport whereof, among many other things, the party taking the said oath, was to swear that he should not protest against any of his Majesties Royal commands, but submit themselves in all obedience thereunto. Which oath he so contrived to enforce the same on the subjects of the Scottish Nation inhabiting in *Ireland*, and out of a hatred to the said Nation, and to put them to a discontent with his Majestie and his government there, and compelled divers of his Majesties said subjects there to take the said oath, some he grievously fined and imprisoned, and others he destroyed and exiled, and namely, the 10. of *October*, *Ann. Dom. 1639.* he fined *Henry Steward* and his wife, who refused to take the said oath, five thousand pounds a peece, and their two daughters and *James Gray* three thousand pounds a peece, and imprisoned them for

not

The Earls Reply.

That the Oath was not violently enjoyed by him upon the Irish Scots, but framed in compliance with their own expresse *Petition*, which *Petition* is owned in the Proclamation, as the main impulsive to it. That the same Oath not long after was prescribed by the Council of *England*. That he had a letter under his Majesties own hand, ordering it to be prescribed as a touch-stone of their fidelity. As to the greatnesse of the fine imposed upon *Steward*, and others, he conceived it was not more then the heinousnesse of their offence deserved; yet had they petitioned, and submitted the next day, that would wholly have been remitted.

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not paying the said fines. The said *Henry Stewards* wife and daughters, and *James Gray*, being the Kings liege people of the Scottish Nation, and divers others he used in the like manner; and the said Earl upon that occasion did declare, that the said oath did not only oblige them in point of allegiance to his Majesty, and acknowledgement of his supremacy only, but to the Ceremonies and Government of the Church established, or to be established by his Majesties royal Authority; and said, that the refusers to obey, he would prosecute to the blood.

XX.

That the said Earl in the 15. and 16. years of his Majesties reign, and divers years past, laboured and endeavoured to beget in his Majesty an ill opinion of his Subjects, namely those of the Scottish Nation, and divers and sundry times, and especially since the pacificat on made by his Majesty with his said subjects of *Scotland* in summer, in the 15. year of his Majesties reign; he the said Earl did labour & endeavour to perswade, incite, and provoke his Majesty to an offensive war against his said subjects of the Scottish Nation: and the said Earl, by his counsell, actions, and endeavours, hath been and is a chief incendiary of the war and discord between his Majesty and his Subjects of *England*, and the said Subjects of *Scotland*, and hath declared, and advised his Majesty, that the demand made by the Scots in this

The Earls Reply.

That he called all the Scottish Nation Traitors and *Rebels*, no one proof is produced, and though he is hasty in speech, yet was he never so defective of reason, as to speak so like a mad man: for he knew well his Majesty was a native of that Kingdom, and was confident many of that Nation were of as heroic Spirits, and as faithful and loyal subjects as any the King had. As to the other words of rooting out the Scots *both Root and Branch*, he conceives a short reply may serve, they being proved by a single testimony only, which can make no sufficient faith in case of life. Again, the witness was very much mistaken, if not worse, for he deposeth that these words were spoken the tenth day of *October* in *Ireland*, whereas he was able to

this Parliament were a sufficient cause of war against them. The said Earl having formerly expressed the height and rancor of his minde towards his subjects of the Scottish Nation, viz. the tenth day of *October*, in the fifteenth year of his Majesties reign, he said that the Nation of the Scots were Rebels; and Traytors; and he being then about to come to *England*, he then further said, that if it pleased his Master (meaning his Majesty) to send him back again, he would root out of the said Kingdome (meaning the Kingdome of *Ireland*) the Scottish Nation both root and branch: Some Lords, and others who had taken the said oath in the precedent Article only excepted. And the said Earl hath caused divers of the said Ships and goods of the Scots to be stayed, seized, and molested, to the intent to set on the said War.

The XXI. and XXII. Articles were not urged.

XXIII.

That upon the thirteenth day of *April* last, the Parliament of *England* met, and the Commons House (then being the representative Body of all the Commons in the Kingdom) did according to the trust reposed in them, enter into debate and consideration of the great grievances of this Kingdome, both in respect of Religion, and the publick Libertie of the Kingdome; and his Majesty referring chiefly

to evidence, he was at that time in *England*, and had been so near a month before.

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The Earles Reply.

That he was not the principal cause of dissolving the last Parliament, for before he came to the Council Table, it was voted by the Lords to demand 12. Subsidies, and that Sir *Henry Vane* was ordered to demand no lesse, but he coming in the interim, he perswaded the Lords to vote it again, declaring to his Majesty (then present) and them the danger of the breach of the Parliament, whereupon it was again

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chiefly to the said Earl of *Strafford*, and the Archbishop of *Canterbury*, the ordering and disposing of all matters concerning the Parliament: He the said Earl of *Strafford*, with the assistance of the said Archbishop did procure his Majesty, by sundry speeches and messages, to urge the said Commons house to enter into some resolution for his Majesties supply, for maintenance of his war against his Subjects of *Scotland*, before any course was taken for the relief of the great and pressing grievances, wherewith this Kingdome was then afflicted. Whereupon, a demand was then made from his Majesty, of twelve Subsidies, for the release of Ship-money only; and while the said Commons then assembled (with expressions of great affection to his Majesty and his service) were in debate and consideration of some supply, before resolution by them made, He the said Earl of *Strafford*, with the help and assistance of the said Archbishop, did procure his Majesty to dissolve the last Parliament, upon the fifth day of *May* last: and upon the same day, the said Earl of *Strafford* did treacherously, falsely, and maliciously endeavour to incense his Majesty against his loving and faithfull Subjects, who had been members of the said House of Commons, by telling his Majesty, they had denied to supply him. And afterward upon the same, did treacherously and wickedly counsel and advise his Majesty to this effect, viz. *That having*
tryed

again voted; that if the Parliament would not grant twelve Subsidies, Sir *Henry* should descend to eight; and rather then fail, to fix. But Sir *Henry* not observing his instructions, demanded twelve only, without abatement, or going lower; that the height of this demand, urged the Parliament to deny, and their denial moved his Majesty to dissolve the Parliament, so that the chief occasion of the breach thereof, was, as he conceived, Sir *Henry Vane*. He confesseth that at the Council Table he advised the King to an offensive war against the Scots; But it was not untill all fair means to prevent a war had been first attempted. Again, others were as much for a defensive war, and it might be as free to vote one, as the other. Lastly, votes at a *Council-board* are but bare opinions; and opinions, if pertinaciously maintained, may make an Heretique, but never can a Traitor.

Tho

tryed the affections of his people, he was loose and absolved from all Rules of government, and was to do every thing that power would admit, and that his Majesty had tryed all wayes, and was refused, and should be acquitted both of God and man, and that he had an Army in Ireland (meaning the Army above mentioned, consisting of Papists, his dependents, as is aforesaid) which he might imploy to reduce this Kingdome to obedience.

The XIV. Article not urged.

XV.

That not long after the dissolution of the said last *Parliament* (*viz.* In the months of *May* and *June*) he the said Earl of *Straford* did advise the King to go on rigorously in levying of the Ship-money, and did procure the Sheriffes of several Counties to be sent for, for not levying the Ship-money, divers of which were threatned by him to be sued in the Star-chamber; and afterwards by his advice were sued in the Star-chamber, for not levying the same; and divers of his Majesties loving subjects were sent for and imprisoned by his advice, about that and other illegall payments.

And a great loan of a hundred thousand pounds was demanded of the City of *London*, and the Lord Maior and the Aldermen and the Sheriffes of the said City, were often sent for by his advice

The Earls reply.

That there was a present necessity for money, that all the Councel-board had voted with, yea before, him. That there was then a sentence in the Star-chamber upon the opinion of all the Judges, for the legality of the Tax of *Shipmoney*, and he thought he might advise the King to take, what the Judges had declared was by law his own. He confessed that upon refusal of so just a service, the better to quicken the Citizens to the payment of Shipmoney, he said, they deserved to be fined. Which words might perhaps be incircumspectly delivered, but he conceives cannot amount to treason, especially when no ill consequence followed upon them; and it would render men in a sad condition; if for every hasty word, or opinion given in Councel, they should

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advice to the Councel Table, to give an account of their proceedings in raising of Ship-money, and furthering of that loan, and were required to certifie the names of such Inhabitants of the said City as were fit to lend, which they with much humility refusing to do, he the said Earl of *Sirafford* did use these or the like speeches: *viz. That they deserved to be put to Fine and Ransom, and that no good would be done with them, till an example were made of them, and that they were laid by the heels, and some of the Aldermen hanged up.*

-X XVI.

That the said Earl of *Sirafford* by his wicked counsell having brought his Majesty into excessive charges without any just cause, he did in the month of *July* last (for the support of the said great charges) counsell and approve two dangerous and wicked Projects: *viz.*

To seise upon the Bullion and the Money in the Mint.

And to imbase his Majesties Coin with the mixtures of Brasse.

And accordingly he procured one hundred and thirty thousand pounds, which was then in the Mint, and belonging to divers Merchants, strangers and others, to be seised on and stayed to his Majesties use. And when divers Merchants of *London*, owners of the said Bullion, came

to be sentenced as Traitors. But that he said it were well for the Kings service, if some of the Aldermen were hanged up, he utterly denieth. Nor is it proved by any, but Alderman *Garway*, who is at best but a single testimony, and therefore no sufficient evidence in case of life.

The Earls reply.

That he expected some proofs to evidence the two first particulars, but hears of none. For the following words, he confessed, probably they might escape the door of his lips. Nor did he think it much amisse, considering their present posture, to call that faction *Rebels*. As for the last words objected against him in that Article, he said that being in conference with some of the *Londoners*, there came to his hands at that instant a letter from the Earl of *Leicester*, then at *Paris*, wherein were the *Gazets* inclosed, relating that the *Cardinal* had given order to levie money by Souldiers. This he only told the Lord *Cottingham* standing by, but made not the least application thereof to the English affaires.

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to his house to let him understand the great mischief that course would produce here, and in other parts, what prejudice it would be to the Kingdome, by discrediting the Mint, and hindring the importation of Bullion: he the said Earl told them, that the City of London dealt undutifully and unthankfully with his Majesty, and that they were more ready to help the Rebel, then to help his Majesty: and that if any hurt came to them, they might thank themselves: and that it was the course of other Princes, to make use of such monies to serve their occasions.

And when in the same month of *July* the Officers of his Majesties Mint came to him, and gave him divers reasons against the imbasing of the said money, he told them that the French King did use to send Commissaries of Horse with Commission to search into mens estates, and to peruse their accompts, that so they may know what to levie of them by force, which they did accordingly levie: and turning to the Lord *Cottington* then present, said, *That this was a point worthy his Lordships consideration.*

XXVII.

That in or about the month of *August* last he was made Lieutenant general of all his Majesties forces in the Northern parts against the Scots, and being at *York* did in the month

The Earls Reply.

That his Majesty coming to *York*, it was thought necessary, in regard the enemy was upon the borders, to keep the Trained-bands on foot for defence of the County: and therefore

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month of *September* by his own authority, and without any lawfull warrant, imposed a Tax on his Majesties subjects in the County of *York*, of 8. d. *per diem*, for maintenance of every Souldier of the Trained-bands of that County, which sums of money he caused to be levied by force. And to the end to compel his Majesties subjects out of fear and terrour to yeeld to the payment of the same. He did declare that he would commit them that refused the payment thereof, and the Souldiers should be satisfied out of their estates; and they that refused it, were in very little better condition then of high Treason.

XXVIII.

That in the months of *September* and *October* last, he the said Earl of *Strafford* being certified of the Scottish Army coming into the Kingdome, and he the said Earl of *Strafford* being Lieutenant general of his Majesties Army, did not provide for the defence of the Town of *Newcastle* as he ought to have done, but suffered the same to be lost, that so he might the more incense the English against the Scots. And for the same wicked purpose, and out of a malicious desire to ingage the King-

the King directed him to write to the Freeholders in *Yorkshire*, to declare what they would do for their own defence; that they freely offered a months pay, nor did any man grudge against it. Again it was twice propounded to the great Council of Peers at *York*, that the King approved it as a just and necessary Act, and none of the Counsel contradicted it, which he conceived seemed a tacit allowance of it. That though his Majesty had not given him special order therein, nor the Gentry had desired it, yet he conceived he had power enough to impose that Tax by virtue of his Commission. But he never said that the refusers should be guilty of little lesse then high Treason, which being proved by *Sir William Ingram*, he was but a single testimony, and one who had formerly mistaken himself in what he had deposed.

The Earls Reply.

That he admired how in the third Article he being charged as an incendiary against the Scots, is now in this Article made their confederate, by betraying *New castle* into their hands. But to answer more particularly he said, that there was at *New-castle* the 24. of *August* 10 or 12000. foot, and two thousand horse, under the command of the Lord *Conway*, and *Sir Jacob Astly*, and that *Sir Jacob* had written to him concerning the Town of *New-castle*, that it was fortified, which also was

Kingdomes of *England* and *Scotland* in a National and bloody war, he did write to the Lord *Conway* the General of the horse, and under the said Earls command, that he should fight with the Scottish Army at the passage over the Tyne, whatsoever should follow, notwithstanding that the said Lord *Conway* had formerly by Letters informed him the said Earl, that his Majesties Army then under his command, was not of force sufficient to incounter the *Scots*, by which advice of his, he did contrary to the duty of his place betray his Majesties Army then under his command, to apparent danger and losse.

was never under his particular care, and for the passage over the River of *Tyne*, his Majesty sent special directions to the Lord *Conway* to secure it, and therefore that Lord is more (as he conceives) responsible for that miscarriage then himself.

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The Earl having thus answered every particular Article against him, it was moved by the house of Commons, that if he had any thing to say further in his Defence, he should do it presently, whereupon he desired time until the next morning, which was though difficultly granted him. The next morning the Houses met, but the Lieutenant of the Tower appeared without his prisoner, certifying that the Earl was taken with a terrible fit of the Stone that night, and continued still so ill, as he could not stir abroad without danger of his life. The Commons thought this excuse but counterfeit, meerly to protract the time, but the Lords were more inclinable to credit the relation, yet an order was agreed upon between them both, that if the Earl came not the next day, they should proceed notwithstanding his dis-appearance, and that in the interim, some of the Upper House should resort to the Tower to see in what condition he was. These Lords coming in the afternoon, found nature and medicamentall applications had so far prevailed over his disease, as gave assurance of his ability to adventure forth next day without prejudice to his health; and what else should dismay him? for to every Article of his accusation he had given, as he hoped, so apposite, so full an answer, as confident he should not be found culpable within the spear of Treason, and offences of a lower orb were beneath his trepidation. But (whether it was that his hope elevated to the highest pitch,

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the Earl.

pitch, might minister the more to the grandure of his fall, or for some other cause unknown, the Commons had kept dormant, and in reserve, their evidence of most fatal and pernicious qualification, which the next day *April* the 10. the *Earl* appearing at the Bar, they desired liberty to produce. Then the Earl craved the same freedom for himself, concerning some testimonies not yet exhibited on his behalf. Upon this ensued a hot contest betwixt the two Houses, the Lords conceiving that by the common dispensation of equity, the accused should have equal allowance to superinduct new proofs, as well as the accusers, or else that all further testimony should be waved on both sides. This sense of the *Lords* was so vastly differing from the mind of the Commons, as up they rose in much discontent, not so much as appointing the day of their next meeting there. So that Munday the 12. the Nobles and Commons sat in their distinct and proper Houses. In the Lower Mr. *Pym* produced a Copy of some notes taken by *Secretary Vane*, of certain opinions delivered at the Council Table, *May* the 5. 1640. being the day of the last Parliaments dissolution, the discovery said to be thus.

Secretary Vane's
notes how discovered.

Secretary Vane, upon some occasion, delivered to his sonne Sir *Henry Vane* the Key of a Cabinet, to fetch some papers laid therein. In this Cabinet young Sir *Henry Vane* finds a key of another Cabinet, which he openeth, and there accidentally lights upon these notes, who presently gives thereof an account to Mr. *Pym*.

This produced a conference that afternoon with the *Lords*, at which Mr. *Pym* re-minds the Peers of the Commons request on Saturday last, concerning some supplemental proofs they desired to offer in the Earl of *Straffords* cause; he acquainted them that the proofs related to the 23. Article, and were founded upon the Notes which he then produced, and that the Commons moved their Lordships to order that the Earl might be sent for the next day, to make his defence at the Bar at *Westminster-hall*. Which being condescended to by the Nobles, and *April* the 13. the Earl appearing, the Notes were brought forth and read, the Title whereof was;

No danger of a War with Scotland, if Offensive, not Defensive.

Then followed the Opinions interlocutory and by way of Dialogue.

The Earls Reply.

K. C. H. How can we undertake Offensive War, if we have no more money?

L. L. IR. Borrow of the City 100000. l. Go on rigorously to leave Shipmoney. Your Majesty having tryed the affection of your people, you are absolved and loose from all rule of Government, and to do what Power will admit: Your Majesty have tryed all wayes, and being refused shall be acquitted before God and Man; And you have an Army in Ireland that you may employ to reduce THIS Kingdome to obedience, for I am confident the Scots cannot hold out five months.

L. ARCH. You have tryed all wayes, and have alwayes been denied, it is now lawful to take it by force.

L. COTT. Leagues abroad there may be made for the defence of the Kingdome. The lower House are weary of the King and Church. All wayes shall be just to raise money by in this inevitable necessity, and are to be used being lawful.

L. ARCH. For an Offensive, not any Defensive War.

L. L. IR. The Town is full of Lords, put the Commission of Array on foot, and if any of them stir, we will make them smart.

That being a Privie Counsellor, he thought he might have as free a vote as another, that his opinion was no other then what he thought the present exigent required, that it were hard measure for opinions or discourses resulting from such occasions, and at such debates, to be prosecuted under the notion of Treason. And whereas the main dint of this accusation received derivation from his suggested saying, *The King had an Army in Ireland which he might imploy here to reduce This Kingdome*, He answereth,

First, That it is proved by the solitary testimony of one man (Secretary Vane) which is not of validity enough in Law to create faith in a matter of Debt, much lesse in point of life and death.

Secondly, That the Secretaries Deposition was exceeding dubious; upon two examinations, he could not remember any such words, and the third time his testimony was not positive, but that I spake those words, or the like, and words may be very like in sound, yet differ much in sense, as in the words of my charge, *here for there, and that for this*, puts an end to the controversie.

Thirdly, there were present at this debate but eight Privie Counsellors in all, two whereof (the Archbishop of Canterbury, and Secretary Windbank) are not to be produced, Sir Hen-

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ry affirms the words, I deny them: then there remain four still to give in evidence, *viz.* The Marquess *Hamilton*, the Earl of *Northumberland*, the Lord *Treasurer*, and the Lord *Cottington*; who have all declared upon their Honours, that they never heard me speak those words, nay nor the like.

Lastly, suppose (though I grant it not) that I spake those words, yet cannot the word *This* rationally imply *England*, because the debate was concerning *Scotland*, as is yeelded on all hands, because *England* was not out of the way of obedience, as the Earl of *Clare* well observed, and because there never was any the least intention of landing the *Irish Army* in *England*, as the foresaid *Lords* of the Privie Councel are able to attest.

The Earl having delivered his Answer to this Additional Proof, the Lord *Steward* told him, that, if he had any thing to say further in his own Defence, he should proceed, because the Court desired to prepare matters for speedy Judgment, whereupon he made a summary repetition of the severall parcels of his former Defence, which ended he continued his Speech thus.

My Lords,

The conclusion
of the Earls
Defence.

THere remaines another kind of Treason that I should be guilty of, for endeavouring to subvert the Fundamental Lawes of the Land. That this should be Treason together, that is not treason in one part; a Treason accumulative, that when all will not do it alone, being weaved up with others, it should do it, seems very strange. Under favour my Lords, I conceive there

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is neither Statute nor Common Law, which doth declare this endeavouring to subvert the Fundamental Lawes of the Land to be high Treason; for I have been diligent in the inquiry, as you know it deeply concernes me, and could never discover it. It is hard to be questioned for life and honour upon a Law, that cannot be shewn; for it is a rule in Sir Edward Coke, De non apparentibus & non existentibus eadem est ratio. Jesu! Where hath this fire lain hid so many hundreds of years, without smoak, to discover it, till it thus burst forth to consume me and my children? That punishment should precede promulgation of a law, to be punished by a law subsequent to the Fact, is extreme hard; what man can be safe if this be admitted? My Lords, it is hard in another respect, that there should be no token set by which we should know this Offence, no admonition by which we should avoid it. If a man passe the Thames in a boat, and split himself upon an Anchor, and no Buoy be floting to discover it, he who oweth the Anchor shall make satisfaction, but if a Buoy be set there, every man passeth upon his own peril. Now where is this marke, where the token upon this Crime to declare it to be high Treason? My Lords, be pleased to give that regard to the Peerage of England, as never to expose your selves to such moot-points, such constructive interpretations of Lawes. If there must be a tryal of wits, let the subject matter be of somewhat else, then the lives and honours of Peers. It will be wisdom for your selves, for your posterity, and for the whole Kingdome to cast into the fire these bloudy and mysterious volumes of constructive and arbitrary Treason, as the Primitive Christians did their Books of curious Arts, and betake your selves to the plain letter of the Law and Statute, that telleth us what is, and what is not Treason, without being more ambitious to be more learned in the art of Killing then our

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fore-fathers. It is now full 240. years, since any man was touched for this alleged Crime to this height before my self, let us not awaken these sleeping Lyons to our destructions, by raking up a few musty Records, that have lain by the wals so many ages, forgotten or neglected. May your Lordships please not to add this to my other misfortunes; for my other sins be-slave me, not for Treason; let not a president be desired from me, so disadvantageous as this will be in the consequence to the whole Kingdome; do not through me wound the interest of the Common-wealth. And howsoever these Gentlemen say they speak for the Common-wealth, yet in this particular I indeed speak for ~~me~~ and shew the inconveniences and mischises which will fall upon it. For, as it is said in the Statute 1. of Henry 4. No man will know what to do, or say, for fear of such penalties. Do not put, my Lords, such difficulties upon Ministers of State, that men of Wisedome, of Honour, of Fortune, may not with cheerfulness and safety be employed for the publique; if you weigh and measure them by grains and scruples, the publique affaires of the Kingdome will lie waste, no man will meddle with them who has any thing to lose. My Lords, I have troubled you longer then I should have done, were it not for the interest of these dear pledges a Saint in heaven bath lest me [At this he stopt a while offering up some tears to her ashes] What I forfeit my self is nothing, but that my in-discretion should extend to my posterity it woundeth me to the very soul. You will pardon my infirmity, something I should have added, but am not able; therefore let it passe. And now my Lords for my self I have been by the blessing of almighty God taught, that the afflictions of this present life, are not to be compared to the eternal weight of glory which shall be revealed hereafter. And so
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my Lords, even so, with all tranquillity of mind, I freely submit my self to your judgement; and whether that judgment be of life, or death,

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Te Deum laudamus.

The Earl had no sooner ended then Mr. *Glyn*, and after him Mr. *Pym* undertakes him, endeavouring to render his offences as odious as possibly they could; but their replications being fuller stuf with Rhetorical Declamations, then Logical conclusions, signified little as to judicial proceedings.

Matters of Fact being transacted, the Commons were next engaged to justifie their charge by Law, which was a point very intricate and difficult; for his crimes were not as yet discovered to be specifically comprehended under the letter of any Statute declaratory of Treason, nor did that Statute of 25. of *Edward the third* (which is the Index to all matters of Treason) directly charge him: But that Statute had a *Salvo* adnext to it, whereby it was provided that, because all particular Treasons could not be then defined, therefore what the Parliament should declare to be Treason in time to come, should be punished as Treason: and within the compass of this *Salvo* they doubted not to bring him, and to cut him off by Bill of Attainder. Hereupon the Earl moved that he might be allowed to plead by his Council, which the Nobles thought they could not in justice deny, but the Commons being of another perswasion, would not, till after three dayes conference with the Lords about it, assent thereunto. But at length the 16. the Peers prevailed, and it was agreed that the Earl with his Council should have liberty to come next day, and they to plead such particulars only, to which they should be restrained.

The Commons
justifie their
Charge by
Law.

Saturday, April the 17. the Earl with his Council appeared at the Bar, being Mr. *Lane* the Princes Attorney, Mr. *Gardiner* Recorder of London, Mr. *Lee*, Mr. *Lightfoot*. Mr. *Lane* spake first, and insisted upon the Statute 25. of *Edw. 3.* saying it was a Declarative Law, and such are not to be interpreted by way of consequence, equity, or construction, but by the expresse letter only. Again it was a penal Law, and such can admit of no constructions or inferences, for penalties are to enforce the keeping of known, not of conjectural and dubious Lawes. Then he came to the *Salvo*, and affirmed that in the sixth year of *Henry the 4.* a Petition was preferred in Parliament by the Nobility to have all Treason limited by Statute, that in that Parliament Chap. 10. an Act was made upon that Petition that, That *Salvo*

The Earl answered
by
Council.

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should be holden repealed in all times to come, and that nothing should be esteemed Treason but what was literally contained within the Statute 25. of *Edm. 3.* The Recorder said, he could add no more then what the former Council had spoken for matter of Law, but if their Lordships would state unto him some further Questions, he was ready to give his resolution according to his best ability. Upon which motion the Lords and Commons adjourned, not prefixing any time for their next meeting.

He is voted by
the Commons
guilty of high
Treason.

Nor was it of much import, for the Commons were resolved that day should set a totall period to the Earles defence, and next to speed their Bill of Attainder, which was debated the 19 and the Earl voted guilty of high Treason upon the evidence of Sir *Henry Vane* and his notes, but the final and decretory vote past not against him, till the 21 upon the reading the Bill engrossed, at which time they went to the Poll, and took the names of the dissenters, the total amounting to 59, whereof the Lord *Digby* appeared most eminent, having spake much to the displeasure of the House in that particular. The Bill being passed the Lower-house, long they would not let it rest there, but that afternoon transmitted it to the Lords, who being slower paced in that concernment, were reminded of it the 24. with a desire they would nominate a time certain for the reading thereof, who returned answer, that on *Munday* and *Tuesday* next they would not fail to do it. And they were as good as their words, but it seemed to them so perplex a businessse, and started so many scruples, as they were enforced to request a conference with the Commons to resolve them; whereupon the Lower-house promised that Mr. *Sir John* the Kings Solicitor should Thursday the 29. justify the Bill by Law and give their Lordships an account of the reasons impelling them to that mode of proceeding; ordering also that the Earl of *Strafford* should then be present.

While these things were in agitation, the Parliament had addrest themselves to his Majesty in way of Petition for three things.

The Commons
Petition a-
gainst Papists.

First, For removing of all Papists from Court.
Secondly, For dis-arming of them generally throughout the Kingdome.
Thirdly, For dis-banding the Irish Army.

The Kings
Answer.

To all which the King the 28 delivered answer contractly thus:

For the first, they all knew what legal trust
the

the Crown hath in that particular, therefore be shall not need to say anything to give them assurance that he shall use it so, as there shall be no just cause of scandal.

For the second, he is content it shall be done according to Law.

For the last, he had entred into consultation about it, and found many difficulties therein, and he doth so wish the dis-banding of all Armies, as he did conjure them speedily, and heartily to joyn with him in dis-banding those two in England.

The next day the *Earl* being brought to the Bar, the *Bill of Attainder* was read, and *Mr. St. John* opened the several branches thereof, affirming it to be legal, by many *Presidents*, and *Acts of Parliaments*, which he quoted. What effects the *Solicitors* arguments wrought, either in rendring the *Earls Treasons* more luminous and discernible, or in removing the former dyposy and dimnesse of the *Peers* understanding, I am not able to say; but infallibly certain it is, they thenceforward shewed greater propensity towards the *Earls* condemnation, and clearly discovered it in their House the next day, whereof the *King* having notice thought it high time for him to interpose (lest silence should make him accessary to a fact so much condemned by his own conscience) and calling both Houses together *May* the 1. said,

My Lords and Gentlemen,

I had no intention to have spoken to you of this businesse to day, which is the great businesse of the *Earl of Strafford*, because I would do nothing which might binder your occasions. But now it comes to passe that I must of necessity have past

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1641.

The Kings
Speech in de-
lence of the
Earl of Strafford.

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past in the judgment, I think it most necessary to declare my conscience therein.

I am sure you know I have been present at the hearing of this great cause, from one end to the other; and I must tell you that in my conscience I cannot condemne him of high Treason.

It is not fit for me to argue this businesse, I am sure you will not expect it, a positive Doctrine best becomes the mouth of a Prince, yet must I tell you three truths, which I am sure no man can tell so well as my self.

First, That I had never any intention of bringing over the Irish Army into England, nor ever was advised by any body so to do.

Secondly, That there was never any debate before me, either in publique Councel, or private Committee, of the disloyalty of my English subjects, nor ever had I any suspicion of them.

Thirdly, That I was never counselled by any to alter the least of any of the Lawes of England, much lesse to alter all the Lawes. Nay I tell you this, I thinke no body durst ever be so impudent as to move me to it. For if they had, I should have made them such an example, and put such a marke upon them, that all posterity should know my intentions by it, they being ever to govern by the Law, and no otherwise.

I desire rightly to be understood, for though I
tell

tell you in my conscience I cannot condemn him of high Treason, yet cannot I clear him of misdemeanours; therefore I hope you may find out a way to satisfie justice, and your own fears, and not oppresse my conscience.

My Lords, I hope you know what a tender conscience is, and I must declare unto you, that to satisfie my people I would do great matters; but in this of conscience, neither fear, nor any other respect whatsoever, shall ever make me goe against it.

Certainly I have not deserved so ill of this Parliament at this time, that they should presse me in this tender point, therefore I cannot suspect you will go about it. Nay I must confesse for mis-demeanours I am so clear in them, that, though I will not chalk out the way, yet I will shew you, that I think my Lord of Strafford is not fit hereafter to serve me, or the Commonwealth, in any place of trust, no not so much as a Constable. Therefore I leave it to you, my Lords, to find out some such way as to bring me out of this straight, and keep your selves and the Kingdome from such inconveniences.

This Speech of his Majesty, as any other not formed of ingredients deleterious, was ill relisht by both Houses, so that they went away in much discontent.

The next day May the 2. being Sunday, was the marriage solemnized between the Prince of Orange (who came to London April the 20.) and the Lady Mary at White-hall, with agreeable triumph.

The late disgust taken at the Kings last Speech, was not immanent,

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The Prince of Orange married the Lady Mary.

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A Tumult in
Westminster cry-
ing for Justice
against the
Earl.

A Protestation
framed by the
Commons.

A Bil propoun-
ded for the
continuation
of the Parlia-
ment.

manent, it stayed not in the Parliament, but became transient and passed to the lower Row; and when the feculent part of the body politique is once stirred, it soon flies up to the disturbance of the whole: so it fared with some tumultuous citizens. *May* the 3. who male-content at what the King had said, came downe that morning to *Westminster*, to the number of five or six thousand, most armed with Swords, demanding justice of the *Lords* against the Earl of *Strafford*, complaining also that their trade was decayed, and they like to perish for want of bread, because justice was delaied. Their special application was to the Lord *Chamberlain*, who went out of his Coach, and with much adoe and large promises appeased their fury; neverthelssse to strike the greater terrour into all such as did not adhere to their party, they posted upon the gate of *Westminster*, a Catalogue of those whose suffrages were for the Earles acquital, under the Title of *Straffordians*.

That day intimation was given to the House of Commons of some practises in the North to distract the *English* Army, and to render the Parliament displeasing to them; to encounter, and as a defensative against which they fell presently upon consideration of a Protestation: for maintenance of the true reformed Protestant Religion, expressed in the doctrine of the Church of England; The power and privileges of Parliament, and liberty of the Subject.

This Protestation being formed, was the next day read in the Lower House, and generally taken by all the members; then was it sent up to the Lords; who took it also, and an order was made for the printing and dispersing it over all England.

May the 5. there was an offer made in the House of Commons by one of the Knights of *Lancashire*, that he would procure his Majesty the loan of 650000*l.* untill such time as the subsidies should be raised, if his Majesty would be pleased to passe a Bill that the Parliament might not be adjourned, prorogued or dissolved, without the consent of both Houses, untill the general grievances of this Kingdom were redrest. This motion occasioned a great debate, and seemed to be of that importance, as presently order was given for a bill to be drawn up in pursuance of it.

That evening the Lords sent a message to the Commons certifying that they had considered, and consulted upon the Bill of Attainder, but found it the safest course to lay the same aside, because it brought the King in as Judge, wherefore they agreed to fall upon the several Articles of his Accusation, and would the next day send them their finall resolution.

The next morning *May* the 6. 26 Lords of 45. then present, being

being directed by the opinion of the Judges, voted the Earl of *Strafford* guilty of high Treason, upon two Articles; the 15. for *levying of monies in Ireland by force in a warlike manner*, and upon the 19. for *imposing an Oath upon the Subjects in Ireland*, and gave thereof speedy information to the House of Commons, who were then exceeding busie about the Bill for the continuation of the *Parliament*, which the next day being compleatly voted, was sent to the Lords for their conjunction with them, withall requesting they would hasten it with all convenient speed; in regard they desired that and the Bill of Attainder might be finished together.

In this concernment the Lords needed no great stimulation of resolves, the design was plausible, no criticisms of law to be discusst, no difficulties to be contended with, so that *May* the 8. they were in state to acquaint the Commons that they fully concurred with them in these votes also; whereupon a conference ensued, at which it was resolved that some *Lords* should be dispatched with those Bills to his Majesty, and to request his Answer: which was accordingly done, and the King told them they should receive his Answer on Munday following.

The Sunday intervening was no *Sabbath*, no day of rest to the King, who never found the Royal office to presse, yea so oppress him as at this instant; infinitely was he distracted between a *People* and a *Conscience*, both male-content, both equally clamorous, one for *mercy*, the other for *justice*; his passion was most intense for both, please both he could not, and to displease either, pierced his very soul. In this anxiety, in this perplexity of thoughts, he consults with four Bishops, desires them as Casuists to advise him what course to steer between these two great Rocks. The major part urged the opinion of the Judges, the votes of Parliament, that he was but one Man, that no other expedient could be found to appease the people, that the consequences of an enraged multitude would be very terrible. Upon these considerations they advised, yea partly perswaded *his Majesty*, though not yet fully convinced, to *pass* the Bill.

But the motive Paramount and superiour to all was a letter he received that very day from the Earl himself, wherein he thus concludes.

SIR,

(To set your Majesties conscience at liberty)
I do most humbly beseech you, for the preventing of such mischiefs as may happen by your refusal, to
L 1
pass

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The Earl voted by the Lords guilty of high Treason.

The two Bills tendred to the King.

He is much perplext what answer to return.

The Bishops advise him to pass the Bills.

And the Earl himself desires it.

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pass the Bill. By this means to remove, praised be God, I cannot say this *accursed*, but I confesse this *unfortunate Thing* forth of the way towards that blessed agreement which God (I trust) shall for ever establish betwixt you and your Subjects. Sir, my consent herein shall more acquit you to God then all the world can do besides: To a willing man there is no injury done. And as by Gods grace I forgive all the world with a calmnesse and meeknesse of infinite contentment to my dis-lodging soul; so, Sir, I can give up the life of this world with all cheerfulness imaginable, in the just acknowledgement of your exceeding favours, and only beg, that in your goodnesse you would vouchsafe to cast your gracious regard upon my poor Son and his three Sisters, lesse or more, and no otherwise then their unfortunate Father shall appear more or lesse guilty of this death. God preserve your Majesty.

Your Majesties most humble

and faithful Subject

and Servant

Strafford.

He yeelds most
unwillingly.

Munday *May* the 10. in the morning his Majesty signed a Commission to the Earl of *Arundel*, the Lord *Privie Seal*, the Lord *Chamberlain* and others for the passing of the two Bills, one for the continuation of the Parliament during the pleasure of the two Houses. The other was the Bill of Attainder against the Earl of *Strafford*; but this with an *Utinam nescirem literas*. Never any act past from him with greater reluctancy at the present, or which he bewailed afterward with greater remorse of conscience, then the frailty of that concession. True it is, he had all the outward motives to it that could be wished, the vehement impor-

importunity of his Nobles, of his venerable Bishops, the opinion of the grave Judges, a pretended urgent necessity in order to the satisfaction of his people, yea and the Earls Petition; but what were all these while his conscience remained unsatisfied? Princes may, and ought to hold intelligence, to keep correspondence with their subjects, but be their advice as sound as may be, yet still must it be still *Le Roy*, not *Le Peuple veut*; the Council may be theirs, the Command must be the Sovereignes. Minatory affronts must not subdue, nor compliance with their subjects perswade them to concessions repugnant to the dictates of their own consciences. It was excellently said by another Man, not by another King, *That it is a bad exchange to wound a mans own conscience, thereby to salve State-sores*; a maxime so infallibly true, that the first experiment we have in sacred writ of the contrary being acted by the first of *Israels* Kings, cost him no lesse then the losse of his Kingdome, and all upon that solitary account, because, *He feared the people, and obeyed their voice*. So fatal is it for a Prince sometimes to resigne a complacence to popular lust.

As his Majesties reflexes upon this concession, were never without great regret, so many behold his passing the concomitant Bill, not a little destructive to his Regal interest, and consequently to his person; as without which the Parliament could not have been in state, and capacity to act what they did against him. On the other side it was argued by others; That his Majesty was not worsted, but rather a gainer by that grant. That it raised in the Subject still further assurance of his clear intentions to the common-good; that it precluded the entertainment of sinister thoughts against him; that it impowered the Parliament only to sit during pleasure. That his denial would have generated ill boding jealousies and turbulent animosities. That had it come to the pinch, and had his Majesty endeavoured to dissolve the Assembly, probably the Parliament would have disputed his power, and have asserted it as incident to the office of so great Trustees of the the Kingdome; still to continue session in times menacing the ruine of the Kingdome. Did not the late Parliament of *Scotland* positively declare as much, in the concernment of that Kingdome? And *Scotland* it is well known gave the rule to *England* in most of her late actions.

The Kings compliance with his people, and acting yesterday to the extremity of justice, could not alter his more natural disposition to Mercy, he had still a passion most vehement for her, and was resolved upon all occasions to act in favour of it; hereupon he this day *May* the 11. wrote to the

Censures upon
his passing the
Bill for the
Parliaments
continuation.

1 Sam. 15.

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The Kings
Letter in be-
half of the
Earl.

Lords this Letter, the bearer whereof was no meaner person then
the *Prince of Wales*.

My Lords,

I did yesterday satisfie the Justice of the Kingdome by passing the Bill of Attainder against the Earl of *Strafford*. But Mercy being as inherent and inseparable to a *King*, as Justice, I desire in some measure to shew that likewise, by suffering that unfortunate man to fulfill the natural course of his life in close imprisonment; yet so, that if he ever make the least offer to escape; or offer directly or indirectly to meddle in any sort of publique businesse, especially with me, either by message or Letter, it shall cost him his life without further processe. This *if it may* be done without the discontentment of my people, will be an unspeakable contentment to me.

To which end, as in the first place, I by this Letter do earnestly desire your approbation, and to endear it the more, have chosen him to carry it, who is of all your House most dear unto me: So I desire that by conference you will endeavour to give the House of Commons contentment likewise, assuring you that the exercise of Mercy is no more pleasing to me, then to see

see both Houses, of Parliament consent,
for my sake, that I should moderate the
severity of the Law in so important a
Case.

I will not say that your complying with
me in this my intended mercy, shall make
me more willing, but certainly it will make
me more cheerfull in granting your just
grievances. But if no lesse then his life
can satisfie my people, I must say *Fiat*
Justitia. Thus again recommending the
consideration of my intentions to you, I
rest

Your unalterable

And affectionate friend,

Charles R.

**If he must die, it were charity to reprove
him till Saturday.**

Upon

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Upon the receipt of this from his Majesty, the Lords express themselves the same day as followeth.

May the 11. 1641.

The Lords expression consequent to this Letter.

THis Letter all written with the Kings own hand, we the *Peers* this day received in Parliament, delivered by the hands of the *Prince*. It was twice read in the House, and after serious, but sad consideration, the House resolved presently to send twelve of the *Peers*, messengers to the King, humbly to signify that neither of the two intentions express in the Letter could with duty in us, or without danger to his consort the Queen, and all the young Princes their children, be possibly admitted. Which being accomplished, and more expressions offered, His Majesty suffered no more words to come from us, but out of the fulnesse of his heart to the observance of Justice, and for the contentment of his people, told us, that *what he intended by his Letter was with an If, If it may be done without discontentment to his people. If it cannot be, I say again the same that I wrote, Fiat Justitia,*

My other intention proceeding out of Charity for a few dayes respight, was upon certain information that his Estate was so distracted that it necessarily required some few dayes respite for settlement thereof.

Whereunto the *Lords* answered, their purpose was to be suiters to his Majesty for favour to be shewed to his innocent Children, And if himself had made any provision for them, that the same might hold. This was well pleasing to his Majesty, who hereupon departed from the Lords.

At

At his Majesties departure, we offered up into his hands the Letter it self which he had sent. But he pleased to say, *What I have written to you, I shall be content it be registred by you in your House. In it you see my mind, I hope you will use it to mine honour.*

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1641.

This upon return of the Lords from the King, was presently reported to the House by the Lord Privie Seal.

Wednesday May the 12. was appointed to give the fatal period to the Life of this most unhappy Earl. He was conveyed from the Tower by a Court of Guard, formed of the Trained bands. Before him went the Marshals men, next the Sheriffs Officers with halberis, then the Wardens of the Tower, then the Earls Gentleman Usher bare headed, and next him the Earl himself accompanied with the Primate of Armagh and others. Upon his first coming forth being to passe neer the Archbishops lodging (who stood at the window waiting for his approach) he lifted up his eyes and espying the Archbishop, made low obeisance towards him, saying withall, *My Lord your prayers and your blessing.* The Archbishop had scarce ability to lift up his hands and heart in the apprecation; so soon did extremity of passion, strike him into a leipothymie and swoounding fit. This was thought by some an argument of too much pusillanimity in so grave a Christian; but the Archbishop said he doubted not but when his own turn came, God would so strengthen him that he should tast that bitter cup with a most Christian courage.

The Earl brought to the Scaffold.

The Earl proceeding further, and the passage more thronged with people, he heard a great noise amongst the crowd, demanding, Which is he? with that, his countenance all composed to meeknesse, off he puts his hat, and said, I am the man good people, nor shewing the least emotion of mind at the Question.

Being brought to the Scaffold he address his Speech to the Lords summarily to this effect;

My Lords,

I am come bither by the good will and pleasure of the Almighty, to pay that last debt

His last Speech.

I

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1641.

I owe to sin. And to submit to that judgement which hath past against me. I do it with a very contented and quiet mind; I thanke God, I do freely forgive all the world. I thank God I can say it, and truely too, my conscience bearing me witnesse, that in all my imployment, since I had the honour to serve his Majesty, I never had any thing in the purpose of my heart, but what tended to the joynt and individual prosperity of King and People, although it hath been my ill fortune to be misconstrued.

There is one thing I desire to free my self of, and I am confident I shall obtain your Christian charity in the belief of it. I was so far from being against Parliaments, That I did alwayes think the Parliaments of England, were the most happy constitutions that any Kingdome or Nation lived under, and the best means, under God, to make the King and People happy.

For my death I here acquit all the world, and beseech the God of Heaven heartily to forgive them that contrived it, though in the intentions and purposes of my heart I am not guilty of what I die for. And it is a great comfort for me, that his Majesty conceives me not meriting so heavy a punishment as this.

I wish this Kingdome all prosperity and happiness,

pinesse, and desire every one who bears me to consider seriously, whether the reformation of a Kingdom should be written in letters of blood. Let me never be so unhappy, as that the least drop of my blood should rise up in judgement against any of you But I fear you are in the wrong way.

I professe that I die a true and obedient son of the Church of England wherein I was born, and in which I was bred. Peace and prosperity be ever to it.

This said, he desired all present to assist him in his prayers, wherein he continued neer a quarter of an hour, then rising up, he bad all his friends farewell, especially by name his brother Sir George Wentworth, by whom he sent his love to his wife and blessing to his children, willing him to charge his son, never to meddle with the Patrimony of the Church.

Then he addrest himself to the block, and having prayed a while, he gave the Executioner the token of his preparednesse, whereat the Heads-man doing his office, severed his head from his body at the first stroke. Thus died this unhappy Earl. And to die thus, by the stroke of Justice, cannot but consign him up to posterity under some more horrid Character, yet lest that blemish should overspread all his fame (drawing aside the traverse) I shall (and I hope without just offence to any) represent such excellences as were in him impaled with, and which might seem if not to ballance, yet somewhat alleviate his other failings.

A Gentleman he was of rare, choice and singular endowments, I mean of such as modelled, fashion'd, and accomplisht him for State concernments; of a searching and penetrating judgment, nimble apprehension, ready and fluent in all results of counsel. Most happy in the vein of speech, which was alwayes round, perspicuous and expresse; much to the advantage of his sense, and so full stocked with reason, that he might be rather said to demonstrate, then to argue. As these abilities raised him to State administration, so his addressing, his applying those abilities so faithfully in promotion of the Royal interest, soon rendred him a Favorite of the first admission. So that never King had a more intelligent, and withall a firmer servant then he was to his Master. But these qualities which rendred him so amiable to his Majesty, represented him formidable to the Scots, so that some who were not well per-

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His Character.

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swaded of the justnesse of his sentence, thought he suffered not so much for what he had done already, as for what he was like to have done, had he lived, to the disservice of that Nation; and that he was not sacrificed so much to the Scots revenge, as to their fear. And certainly his fall was, as the first, so the most fatal wound the Kings interest ever received. His three Kingdoms not affording another *Strafford*, that is, one man his peer in parts and fidelity to his Majesty. He had a singular passion for the Government, and Patrimony of the Church, both which he was studious to preserve safe and sound, either opining them to be of sacred extraction, or at least prudent constitutions relating to holy performances. And had he wanted these positive graces, yet in so great a person, it may be commendable, that he was eminent for privative and negative excellencies, being nortaxable with any vice, whether it was that those petty pleasures are beneath the satisfaction of a soul such as his, and of so large a stature; or that grace had put a restraint upon his appetite. In short, he was a Man who might have passed under a better notion had he lived in other times, or had he in these not played his byas another way.

*Cetera desiderantur.**Errata sic Corrige.*

pAg. 9. lin. 1. read *bused*. *ibid.* l. ult. r. *committed*. p. 12. l. 6. r. *baited*. p. 17. l. 6. r. *attempts*. p. 28. l. 7. r. *mollified*. p. 30. l. 1. r. *enformed*. p. 33. l. penult. r. *was as ambitious as*. p. 41. l. 10. r. *Villeur*. p. 54. l. 37. r. *cognoscible*. p. 57. l. 4. r. *from his own*. p. 67. l. 15. r. *stands*. p. 71. l. 23. r. *share*. *ibid.* l. 34. r. *exceeding happy*. p. 79. l. 13. r. *assent*. p. 80. l. 21. r. *detrench*. p. 92. l. 4. r. *cleanly*. p. 93. l. 13. r. *whisked*. p. 96. l. 41. r. *constat*. p. 97. l. 43. r. *three were accused of*. p. 101. l. 34. r. *abased*. p. 109. l. 6. r. *of his Brothers*. p. 115. l. 1. r. *behold him*. p. 130. l. 21. r. *infested*. p. 135. l. 41. r. *reproach him*. p. 155. l. 14. r. *the next*. p. 165. l. 27. r. *chief*. p. 183. l. 19. r. *strong*. p. 199. l. 13. del. of *ibid.* l. 35. r. *was sequestred*. p. 202. l. 9. r. *Mr. Crew*. p. 233. l. 8. r. *Tertingham*. p. 245. l. 42. r. *confident he was be*. &c. p. 254. l. 1. r. *part*. p. 259. l. 7. del. *still*.

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